

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.184/2009

This the 29th day of April 2009.

HON'BLE MR. M. KANTHAIAH, MEMBER (J)

HON'BLE DR. A.K. MISHRA, MEMBER (A)

Chandrika Prasad, Aged about 53 years, S/o late Sri Makhan Lal, R/o A Block, Ambekhari Nagar, Sitapur, working as Accountant Sitapur Head Office.

.....Applicant

By Advocate: Ms. V. Laxmi

Versus.

1. Union of India, through the Secretary, Department of Posts, Dak Bhawan, New Delhi.
2. BPS O/O Chief Post Master General, U.P. Circle, Lucknow.
3. S.P.Os Sitapur.

.....Respondents.

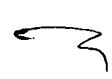
By Advocate: Sri S.P. Singh for Dr. Neelam Shukla.

ORDER

Heard both sides.

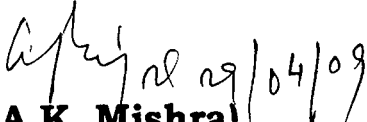
2. The applicant has filed this O.A. with a prayer to quash the punishment order imposed by the disciplinary authority vide order dated 11.12.2008 and also recovery order dated 27.3.2009 to the tune of Rs. 194791/- passed by respondent no.3.

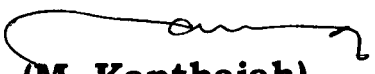
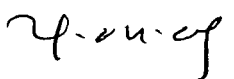
3. It is the case of the applicant that against the recovery order dated 27.3.2009, the applicant preferred an appeal dated 31.3.2009 to the appellate authority, which is still pending for consideration. At this stage, learned counsel for the applicant



submits that if his appeal is directed to be decided, the purpose of O.A. would be served. When the appeal of the applicant is still pending before the appellate authority, passing of any direction at this stage is not at all justified.

4. In view of the above circumstances, without going into the merits of the case, the respondents are directed to consider and dispose of the pending appeal of the applicant dt. 31.3.2009 (Annexure-6), within a period of two months from the date of supply a copy of this order by passing a reasoned and speaking order in accordance with law. Till the appeal of the applicant is decided, the impugned recovery shall not be given effect to. The applicant is also directed to supply the copy of the appeal as well as the enclosed documents to the respondents alongwith a copy of this order. No costs.


{**Dr. A.K. Mishra**}
Member (A)


(**M. Kanthaiah**)
Member(J)


Girish/-