

Central Administrative Tribunal, Lucknow Bench,

Lucknow

Original Application No. 376 of 2009

This the 16 day of September, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Hon'ble Dr. A.K. Mishra, Member(A)

Chandramauli Shukla, Aged about 45 years, S/o Sri Bajrangi Prasad Shukla, R/o Village Sarawan, Post Alipur Sarawan, District Sultanpur, presently posted as Dakpal at post Office Sarawan, District Sultanpur.

...Applicant

By Advocate: Sri B.P. Singh

Versus

1. Union of India through Ministry of Posts & Telegraph, Parliament House, New Delhi.
2. The CPMG, U.P. Circle, Lucknow.
3. Sr. Supdt. of Post Offices, Sultanpur.

.....Respondents

By Advocate: Sri S.P. Singh

ORDER

By Ms. Sadhna Srivastava, Member-J

By means of this application, the applicant seeks a direction to the respondents to pay salary alongwith arrears from 8.8.2005 onwards till date. Further prayer^h to consider and decide his representation.
^h

2. The brief facts of the case are that while the applicant was working as EDBPM, Sarawan, District Sultanpur, ^h ^h was served with a chargesheet dated 31.3.2000 and after due inquiry, he was removed from service vide order dated 4.8.2005. The copy of removal



order has been filed by the respondents alongwith the Counter reply as Annexure no.CA-1. It is contents^{on} ~~on~~ behalf of the applicant that for the first time he came to know about the removal order dated 4.8.2005 on receipt of Counter reply. On query, the learned counsel for the applicant seeks permission to withdraw the O.A. with liberty to file an appeal before the appellate authority against the order dated 4.8.2005. Admittedly, the order of removal is appealable. Keeping in view the prayer made by the applicant, this case is disposed of with direction to the applicant to prefer an appeal within a period of 30 days from today to appellate authority, who shall consider and decide the same on merits without any objection about limitation by passing a reasoned and speaking order in accordance with law within a period of three months from the date of receipt of such appeal. Needless to mention here that we have not gone into the merits of the case.

3. With the aforesaid observations, this case is disposed of without any order as to costs.


(Dr. A.K. Mishra)
Member-A


(Ms. Sadhna Srivastava)
Member-J