

(8)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH

O.A.84/89

Babu Nathu Jadhav,  
Postal Assistant  
Jamkhed Post Office,  
Jamkhed.

.. Applicant

vs.

1. The Sr.Suptd. of Post offices,  
Ahmednagar Division,  
Ahmednagar - 414 001.

2. Post Master General,  
Maharashtra Circle,  
Bombay 400 001.

.. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava  
Vice-Chairman

Hon'ble Shri M.Y.Priolkar,  
Member(A)

Appearances:

1. Mr.A.R.Agarwal  
Advocate for the  
Applicant.

2. Mr.P.M.Pradhan  
Advocate for the  
Respondents.

ORAL JUDGMENT:  
(Per U.C.Srivastava,Vice-Chairman)

Date:18-7-1991

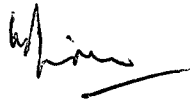
The applicant ~~who~~ was Postal Assistant at Ahmednagar, ~~and continued to remain in service for 33 months. Thereafter~~ His services were terminated by the Senior Superintendent of Post Offices, Ahmednagar vide order dated 1.9.1986. Against the said order the applicant filed a departmental appeal. The Post Master General, Maharashtra Circle allowed the appeal holding that it was an error on the part of Sr, Suptd. of Post Offices as without holding an enquiry the services of the applicant would ~~no~~ should not have been terminated. The appeal was consequently allowed on 22-8-1988 and the applicant was reinstated back in service. By a separate order it was directed that the period from 2.9.1986(i.e. the date of termination of service) to 22.8.1988(i.e. the date of reinstatement) should be treated as Dies-non.


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2. On behalf of the applicant it was contended that for no fault of the applicant his services were terminated and he has not committed any misconduct. He was absent due to his ill health.

3. Whatever may be the reason his appeal remained pending for two years and it was decided only two years thereafter as such the applicant should not be deprived of his salary and dues.

4. Taking into consideration the facts and the delay which has been caused by the department in deciding his appeal we direct the respondents ~~to~~ that dies-non period may be reduced to one year and one year's salary and allowances to the applicant may be paid. The payment may be made within a period of three months from the date of receipt of a copy of this order.

  
(M.Y. PRIOLKAR)  
Member(A)

  
(U.C. SRIVASTAVA)  
Vice-Chairman