

(2)  
**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL****NEW BOMBAY BENCH****O.A. No. 617/90**  
~~XXXXXX~~

198

**DATE OF DECISION** 7.1.1991Shyamsaroj Tarkeshwar Mishra PetitionerShri C.S.Kaptan

Advocate for the Petitioner(s)

**Versus**Union of India & Ors.

Respondent

Shri S.V. ~~xxxx~~ Gole

Advocate for the Respondent(s)

**CORAM****The Hon'ble Mr. D.Surya,Rao, Member (J)****The Hon'ble Mr. P.S.Chaudhuri, Member (A)**

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? }
3. Whether their Lordships wish to see the fair copy of the Judgement ? } 7/0
4. Whether it needs to be circulated to other Benches of the Tribunal ? }

  
 (P.S.Chaudhuri)  
 M(A)

(3)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY,  
CAMP AT NAGPUR  
\* \* \* \*

Original Application No.617/90

Shyamsaroj Tarkeshwar Mishra,  
Care Taker, Office of Director  
Accounts (Postal), Nagpur

... Applicant

V/s

1. Post Master General,  
Maharashtra Circle, Nagpur.

2. Director of Accounts  
(Postal), Nagpur.

3. Union of India, through  
Dept of Communication,  
New Delhi.

... Respondents

CORAM: Hon'ble Member (J), Shri D.Surya Rao.  
Hon'ble Member (A), Shri P.S.Chaudhuri.

Appearances:

Shri C.S.Kaptan for  
Mr.N.N.Mothghare, Advocate  
for the applicant and  
Shri S.V.Gole for Mr.S.V.  
Natu, Advocate, for the  
respondents.

ORAL JUDGEMENT:

Dated: 7.1.1991.

(Per. P.S.Chaudhuri, Member (A))

This application under Section 19 of the  
Administrative Tribunals Act, 1985 was filed on  
27.8.1990. In it the applicant who was working as  
Care Taker in the office of the second respondent is  
challenging the order dated 15.5.1989 passed by the  
second respondent by which the penalty of dismissal  
from service has been imposed on him, the appellate  
order dated 30.8.89 passed by the first respondent  
and the enquiry report as a result of which the above  
mentioned two orders were passed.

2. We have perused the application and the  
reply thereto as also heard Mr. C.S.Kaptan holding

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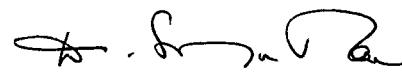
the brief of Mr. N.N.Mothghare, learned counsel for the applicant and Mr. S.V.Gole, holding the brief of Mr. S.V.Natu, learned counsel for the respondents.

3. Mr. Kaptan submitted that the applicant had submitted a review petition dated 14.10.89 to the Member (Personnel), Postal Services Board, New Delhi. It is not disputed that this petition is yet to be decided. Mr. Kaptan further submitted that at this stage he would be satisfied with a direction to the respondents to pass final orders on this review petition with liberty to file a fresh application if the applicant continue to remain aggrieved after the review petition is decided finally.

4. In view of this position, this application is disposed of with a direction to the respondents to finalise the applicant's review petition dated 14.10.89 by 31.3.1991. If the applicant remains aggrieved after the review petition is decided finally, he is at liberty to approach the Tribunal afresh. In the circumstances of the case there will be no order as to costs.



( P.S.Chaudhuri )  
Member(A)



( D.Surya Rao )  
Member(J)