

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

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Contempt Petition No:102/94  
in  
Original Application No.490/94

Shri Hanumanth Eknath Paricharak  
LSG APM Sangli HO - 416 416. .. Applicant

-versus-

Smt. Asha Kulkarni  
Post Master General,  
Goa Region,  
Panaji - 403 001. .. Respondent

Coram: Hon'ble Shri B.S.Hegde, Member(J)  
Hon'ble Shri M.R.Kolhatkar, Member(A)

Appearances:

1. Mr.S.P.Kulkarni  
Counsel for the  
Applicant.
2. None for the  
Respondent.

TRIBUNAL'S ORDER: Date: 26-8-1994

Heard Mr.S.P.Kulkarni for the  
petitioner. None for the respondent.

2. This arises out of CP / the order passed by the Tribunal on 3-6-94 directing the respondent to dispose of the appeal within two months from the date of receipt of copy of that order. The Tribunal also observed that OA is premature.

3. Pursuant to that order the respondent by order dated 8-7-94 disposed of the pending appeal and observed as under:

"..... that in this case the Sr. Superintendent of Post Offices is the disciplinary authority and the Director of Postal Services is the Appellate Authority. Since the official has appealed against the Sr. Superintendent of Post Offices order to Director Postal

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Services and since Director of Postal Services has decided the case in appeal, no further appeal to Post Master General is permissible. "

Mr. Kulkarni submits that the aforesaid order is not in accordance with the CCS(CCA) Rule 23(ii) & (iii).

4. In the circumstances, we are of the view, that this is a fit case to issue show cause notice as to why action should not be taken against Post Master General, Goa Region for failing to comply with the order of Tribunal and for passing the order in which she has not mentioned anything about the order passed by the Tribunal. Accordingly, issue notice to the Post Master General, Goa Region to be present in the Court on 28-10-94. We note that under Rule 23 of CCS(CCA) against the appellate order the applicant is entitled to further appeal to the PMG which she has not considered as per our earlier order. It is open to the PMG Goa Region to pass a reasoned appellate order if she wishes to do so before 28-10-94.

*M.R. Kolhatkar*

(M.R. KOLHAKAR)  
Member(A)

*B.S. Hegde*

(B.S. HEGDE)  
Member(J)

M

Recd  
24/10/94