

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.Kolkar

(M.R. KOLKAR)
Member(A)

B.S.Hegde
(B.S. HEGDE)
Member(J)

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Rec
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