

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.557/94

Dt. of Decision : 3-5-94

Between

Rallabandi Poshetty

: Applicant

and

1. Director of Postal Services
Hyderabad

2. Superintendent of Post Offices
Adilabad Division
Adilabad

: Respondents

Advocate for the Appellant

: S. RamaKrishna Rao,
Advocate

Counsel for the respondents

: N.V. Ramana, SC for
Central Government

CORAM

Hon. Mr. T. Chandrasekhara Reddy, Member (Judicial)

Hon. Mr. R. Rangarajan, Member (Admn.)

O.A. NO. 557/94.

JUDGMENT

Dt: 3.5.94.

(AS PER HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.))

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2. We have heard today Shri S.Ramakrishna Rao, learned counsel for the applicant and Shri N.V.Ramana, learned standing counsel for the respondents. It is not in dispute that the disciplinary authority (competent authority) had passed an order dated 8.2.1994 as against the applicant ordering recovery of Rs.18,216/- from the pay of the applicant @ Rs.506/- per month. It is also not in dispute that the applicant preferred an appeal dated 5.3.1994 as against the disciplinary authority (competent authority). Under Section 20 of the Administrative Tribunals Act, the 1st respondent who is the appellate authority can take six months to pass final orders on the appeal of the applicant dated 5.3.1994. Strictly speaking, the applicant should have approached the Tribunal after the expiry of six months from 5.3.1994 which is the date of appeal of the applicant to the 1st respondent. Any how, in view of the apprehension of the applicant in regard to recovery, the applicant has approached this Tribunal. So, in view of the apprehension of the applicant is having in his mind and as the appeal of the applicant with the 1st respondent is pending, we feel that it would be fit and proper to dispose of this application by giving directions. Hence, we direct the 1st respondent to pass final orders on the appeal of the applicant dated 5.3.1994 within four months from the date of ~~xxmxx~~ communication of this order. We further direct the respondents not to make any recovery from the

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salary of the applicant towards recovery that has been imposed on the applicant as a measure of penalty.

After final orders are passed by the appellate authority (1st respondent herein) on the appeal of the applicant, the applicant would be at liberty to approach this Tribunal afresh in accordance with law, if he continues to be aggrieved by the action of the 1st respondent.

3. The OA is disposed of accordingly at the admission stage. No order as to costs.

(R.RANGARAJAN)
MEMBER (ADMN.)

(T.CHANDRASEKHARA REDDY)
MEMBER (JUDL.)

DATED: 3rd May, 1994.
Open court dictation.

vsn

Avuly
Deputy Registrar (Judl.)

Copy to:-

1. Director of Postal Services, Hyderabad Region, Hyderabad.
2. Superintendent of Post Offices, Adilabad Division, Adilabad.
3. One copy to Sri. S.Ramakrishna Rao, advocate, CAT, Hyd.
4. One copy to Sri. N.V.Ramana, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

Prabhu
15/5/94

OA-557/94
TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(AD)
AND

THE HON'BLE MR.TCCHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.R.RANGARAJAN : M(ADMN)

Dated: 3/5/1994

ORDER/JUDGMENT

M.A/R.A./C.A./NO.

in
O.A.NO.

T.A.No.

(w.p.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions *at bed time*
leg.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

Central Administrative Tribunal
DESPATCH

9 MAY 1994
G. (Signature)
HYDERABAD BENCH.