

37

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

O.A.No.801 OF 1995.

Date of Order :17-4-1998.

Between :

Muneer Ahmed Khan.

.. Applicant

and

1. The Senior Superintendent of Post Offices, Hyderabad South East Division, Hyderabad-500 027.

2. The Director of Postal Services
O/o The Chief Postmaster General,
A.P.Circle, Hyderabad-500 001.

.. Respondents

COUNSEL FOR THE APPLICANT: Mr. S. Ramakrishna Rao

COUNSEL FOR THE RESPONDENTS: Mr. V. Bhimanna

CORAM:

THE HON'BLE SRI H.RAJENDRA PRASAD, MEMBER (ADMN)

AND

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI H.RAJENDRA PRASAD, MEMBER (A))

Heard Mr. S. Ramakrishna Rao for the Applicant
and Mr. V. Bhimanna for the Respondents.

Q/174
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2. The applicant herein was removed from service on charges of unauthorised absence and over-stay of leave granted to him between the periods 20-3-1991 to 20-6-1993. The appeal submitted by him against the penalty was turned down in June, 1995, by R-2 on the ground that the same was time-barred.

3. We have given careful consideration to all the facts and submissions made on behalf of the parties. The O.A is disposed of with a direction to the R-2 to examine the appeal submitted by the applicant on 7-11-1994 (Annexure.5 to the OA) and take a suitable decision on the merits of the case; in other words the appeal should not be rejected merely on the technical ground of time-bar.

4. While disposing of the appeal the Appellate Authority may consider whether the penultimate punishment of removal from service would ~~operate~~ very harshly against the applicant who, at the time of his removal, was only 35 years ^{old} and would have still two decades of service ahead of him even at this stage. If it is considered necessary to reject the appeal submitted by the applicant, it may be considered whether any lesser punishment would meet the requirement of the case. In such an event the Appellate Authority shall be fully competent to treat the intervening period between the imposition of punishment and revised Appellate Authority order, if any, in any manner that he would like to exercise.

8/11/95 *Jr.*

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5. Thus the O.A. is disposed of. No costs.


(B.S.JAI PARAMESHWAR)

MEMBER (J)

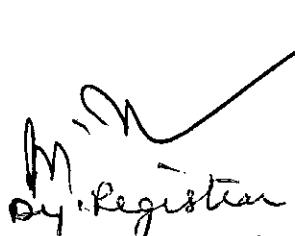

(H.RAJENDRA PRASAD)

MEMBER (A)

Dated: this the 17th day of April, 1998

Dicated to Steno in the Open Court

DSN


M.R.
by Registration

O.A. 801/95.

To

1. The Senior Superintendent of Post Offices,
Hyderabad South East Division, Hyderabad-27.
2. The Director of Postal Services,
Hyderabad City Region,
O/o The Chief Postmaster General,
A.P.Circle, Hyderabad-1.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr. V.Bhimanna, Addl.CGSC. CAT.Hyd.
5. One copy to HHRP.M.(A) CAT.Hyd.
6. One copy to MR.(A) CAT.Hyd.
7. One spare copy.

pvm

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

~~THE HONBLE MR. JUSTICE~~

~~WICB-CHAI RMAN~~

AND

THE HON'BLE MR. H. RAJENDRA PRASAD: M(A)
The Hon'ble Mr. B. S. Joshi: M(G)
DATED: 17-4-1998.

~~ORDER / JUDGMENT~~

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

in

O.A.No. 80195

(w.p.)

Admitted and interim directions issued.

allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Ordered rejected.

No order as to costs.

pvm.

के द्वाय प्रशासनिक अधिकारण
प्राप्ति Administrative Tribunal
हैदराबाद व्यायामी बैठक
H' DERABA'D BENCH

27 APR 1992

27 APR 1990
Despatch

विभाग / KIPPAL SECTION