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CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
HYDERABAD

Original Application No.444/96

Dt. of decision:10-4-1996

Between:

P. Subba Rayudu .. Applicant

and

1. Superintendent of post Offices,
Cuddapah division,
Cuddapah.
2. The Post Master General,
A.P. Southern Region,
Kurnool. .. Respondents

Counsel for the applicant : Shri Krishna Devan

Counsel for the respondents: Shri K. Ramuloo

Coram

HON'BLE MR. JUSTICE M.G. CHAUDHARI : VICE CHAIRMAN

HON'BLE SHRI H. RAJENDRA PRASAD : MEMBER (A)

O.A.No.444/96

JUDGEMENT


(As per Hon'ble Sri Justice M.G. Chaudhari, Vice Chairman)

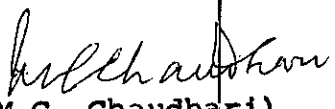
The applicant seeks to challenge the order dt.7-2-96 passed by the Superintendent of Post Offices, Cuddapah imposing penalty of withholding his next increment from stage Rs.1800/- due on 1-1-96 for the period of one year without cumulative effect. The said order is appealable under C.C.S. (CCA) Rules, 1965. Since a statutory appeal is provided and the applicant has not exhausted that remedy as required U/s 20 of the Administrative Tribunals Act the application cannot be entertained. The applicant will be at liberty to prefer an appeal to the Appellate Authority if so advised in accordance with law.

2. The learned counsel for the applicant vehemently argued that there is a gross violation of principles of natural justice ^{as} that the order passed is based on bias and that therefore the Tribunal can exercise its inherent powers without requiring the applicant to approach the Appellate Authority. We find it difficult to accept this submission. Even so it is left open to the applicant to raise these grounds in his appeal, if so advised.

3. The learned counsel sought to refer to a Division Bench order of this Tribunal in 1993 (2) SLJ 524. We do not see as to how that can be applicable in the instant case at this stage.

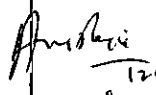
4. The O.A. is dismissed.


(H. Rajendra Prasad)
Member (A)


(M.G. Chaudhari)
Vice Chairman

Dt. 10-4-1996
(Open Court Dictation)

kmv


Deputy Registrar

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O.A. 444/96.

1. The Superintendent of Post Offices,
Cuddapah Division, Cuddapah.
2. The Postmaster General,
A.P.Southern Region, Kurnool.
3. One copy to Mr.Krishna Devan, Advocate, CAT.Hyd.
4. One copy to Mr.K.Ramulu, Addl. CGSC. CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm

17/3/96

I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD :M(A)

Dated: 10 - 4 - 1996

~~ORDER~~ JUDGMENT

M.A./R.A./C.A.No.

in

O.A.No. 444/96

T.A.No. (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.

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