

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORDER SHEET

ORDERS OF THE TRIBUNAL

Date: 29.11.2016

OA No. 291/00814/2016

Mr. Salim Khan & Mr. Iliyas Khan, Counsels for applicant.

Matter relates to Disciplinary Proceedings in the department of Post.

Heard on IR. Counsel for applicant submits that this is a case disciplinary proceedings and the respondents have imposed the penalty of reduction to lower stage of pay and recovery of Rs.90000/- in 15 equal instalments of Rs.6000/- per month from October,2016 on the applicant Shri Kailash Chand Cheepa vide order dated 29.09.2016 Ann.A/1. The applicant filed an appeal Ann.A/7 on 10.11.2016 and the same is still pending but the respondents are recovering Rs.6000/- per month from the salary of the applicant. When it was pointed out that this OA is pre-mature as the appeal has only been filed as recently as on 10.11.2016 and the OA has been filed without awaiting the decision, the counsel for the applicant submitted that as appeal has already been filed, he now prays that directions may be given to the appellate authority to decide the same within a month as recovery is being made from the salary of the applicant.

Considered the aforesaid contentions and perused the record. It is apparent that the applicant has made an appeal

before the appellate authority as recently on 10.11.2016 Ann.A/7 and has filed the OA without waiting for the decision in the appeal. However, considering that the recovery is being made from the salary of the applicant as averred by the counsel for applicant, it is deemed appropriate and just to direct the appellate authority without going into merits of the case lest it prejudices the case of either side, to decide the appeal of the applicant at the earliest preferably within 6 weeks from the date of receipt of the copy of this order. The applicant is also directed to submit a copy of this order along with Paper Book of the OA to respondents as well as appellate authority.

In view of the limited relief being granted, requirement of issue of notices to respondents is dispensed with.

With these direction the OA stands disposed of at the admission stage itself with no order as to costs.



(Meenakshi Hooja)
Member (A)

Adm/