

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH,
JABALPUR

Original Application No. 848 of 2005

Gwalior, this the 14th day of September, 2005

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Judicial Member

Hameer Singh Narwariya,
Husband's Name Shri Samle,
Aged about 46 years, Occupatino-nil,
r/o. Balarpura Tehsil, Ater,
Distt-Bhind.

.... Applicant

(By Advocate – Shri Arun Katare)

V e r s u s

1. Union of India, through Secretary,
Ministry of Communication,
New Delhi.
2. Director General (Post Services),
New Delhi.
3. Superintendent, Postal Services,
Chambal Division, Near Railway
Station, Morena (MP).

.... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman –

Heard the learned counsel for the applicant.

2. By filing this Original Application the applicant has claimed the following main relief :

“.....to allow this application and quashed the orders Annexure A-1 dated 27.4.2004, thereby reinstating the applicant in the service with all back wages and consequential benefits.”

3. The brief facts of the case are that the applicant was appointed as an EDMC/DA by the Inspector Post Office Ater District Bhind on 20.3.1978.



While in service the applicant has lodged a FIR on 21st July, 1999 and a case was registered against Shri Amar Singh and his son. Thereafter, disciplinary proceedings were initiated against the applicant. After holding the enquiry the disciplinary authority has passed the order dated 27th April, 2004 imposing the penalty of removal from service on the applicant. The applicant was required to file an appeal against the order of the disciplinary authority within 45 days. He filed the appeal on 15th August, 2004 and the same has not yet been decided by the respondents. Hence, he has approached this Tribunal. The learned counsel for the applicant submitted that he has filed the appeal on 15th June, 2004 and not on 15th August, 2004. He further submitted that the applicant will feel satisfied if directions are given to the respondents to consider and decide the said appeal of the applicant within a time frame manner.

4. Accordingly, we direct the respondent No. 3 i.e. Superintendent, Postal Services, Chambal Division, Near Railway Station, Morena, to consider and decide the said appeal of the applicant dated 15th June, 2004 by passing a speaking, detailed and reasoned order within a period of three months from the date of receipt of a copy of this order. It is made clear that the respondent No. 3 will consider the said appeal of the applicant on merit and will not take the ground of limitation. The learned counsel for the applicant is also directed to send a copy of this order as well as the copy of the petition to the respondent No. 3 immediately.

5. In view of the aforesaid the Original Application stands disposed of at the admission stage itself.

(Madan Mohan)
Judicial Member

(M.P. Singh)
Vice Chairman

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....

ए लिखित आदेश द्वारा:-

- (1) सचिव, उच्च न्यायालय, जबलपुर
- (2) अध्यक्ष, न्यायिक सेवा आयोग, जबलपुर
- (3) प्रमुख, न्यायिक सेवा आयोग, जबलपुर
- (4) प्रमुख, न्यायिक सेवा आयोग, जबलपुर

सूचना एवं आचार्य, न्यायिक सेवा आयोग

उप रजिस्ट्रार

29/9/05
"SA"

Dr. K. K. Singh
Resd. 2
(with copy)