

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH

OA No.640/04

Jabalpur, this the 16th day of August, 2004

C O R A M

Hon'ble Mr.M.P.Singh, Vice Chairman  
Hon'ble,Mr.A.K.Bhatnagar, Judicial Member

D.M.Dongre  
S/o Late Shri Mangoji Dongre  
Sub Post Master  
Jawahar Market, Camp No.2  
Bhilai, District Durg  
R/o Quarter No.9/B  
Street-6, Sector-1,Bhilai  
District Durg (Mp)

Applicant

(By advocate Shri N.S.Ruprah)

Versus

1. Union of India through  
Secretary  
Ministry of Postal Department  
Govt. of India  
Dak Bhawan, New Delhi.
2. Director of Postal Services  
Office of the Chief Postmaster  
General, Chhattishgarh Circle  
Raipur.
3. Senior Supdt. of Post offices  
Durg Division  
Civil Centre, Bhilai  
PO & District Durg (CG).

Respondents

(By advocate Shri S.A.Dharmadhikari)

O R D E R(oral)

By M.P.Singh, Vice Chairman

By filing this OA, the applicant has claimed the following reliefs:

- (i) To quash the impugned order Annexure A1 dated 16.7.04.
  - (ii) To direct the respondents to permit the applicant to continue in the Govt. quarter till the pendency of his appeal/representation.
2. The brief facts of the case are that the applicant is working as Sub Postmaster at Jawahar Market, Camp No.2, Bhilai, w.e.f.5.5.2001. He was posted as Sub Postmaster at Sector-8, Bhilai post office from 5.6.97 to 4.5.2001. A charge sheet dated 2.1.2002 was issued to the applicant and an enquiry was ordered to investigate the charges.

The enquiry has been completed and the disciplinary authority

has passed an order of removal dated 9/11-6-04 (Annexure A2). The applicant has challenged the order of the disciplinary authority by filing an appeal dated 25.7.04 (Annexure A3). The appeal has not yet been decided. In the meantime, the respondents have passed an order dated 16.7.04 (Annexure A1) directing the applicant to vacate the government quarter. Hence this OA is filed claiming the aforesaid reliefs.

3. In the facts and circumstances of the case, without going into the merit, we are of the considered opinion that the ends of justice will be met if we direct the appellate authority to consider and decide the appeal of the applicant dated 25.7.04 within a period of three months from the date of receipt of a copy of this order, by passing a speaking, detailed and reasoned order. We do so accordingly. In the meantime, the applicant will not be forced to vacate the government quarter allotted to him.

4. The OA is disposed of with the aforesaid directions. Applicant is directed to send a copy of this order as well as a copy of the petition to the respondents.

(A.K.Bhatnagar)  
Judicial Member

(M.P.Singh)  
Vice Chairman

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पुस्तकालय से ओ/आ. जयपुर, दि. ....  
पुस्तकालय से ओ/आ. जयपुर, दि. ....

(1) सचिव, उच्च न्यायालय जयपुर, जयपुर

(2) जयपुर, दि. 17/8/04

(3) जयपुर, दि. 17/8/04

(4) जयपुर, दि. 17/8/04

सूचना एवं आवश्यक कार्यवाही हेतु

उप रजिस्ट्रार

NS Raghav

SA Sharma/Hikari

17-8-04

Issued  
On 17-8-04  
BS