

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 805 of 2003

Jabalpur, this the 19th day of November, 2003

Hon'ble Shri M.P. Singh, Vice Chairman
Hon'ble Shri G. Shanthappa, Judicial Member

Prem Narayan Nakib,
son of late Bhaiyalal Nakib,
aged about 47 years, by occupation
Gramin Doc Sevak/Sub Branch Post
Master, Post Office Karmora,
(Jatara) Distt. Tikamgarh, (MP). ... Applicant

(By Advocate - Shri Sushil Kumar Tiwari on behalf of Shri
V.K. Shukla)

V e r s u s

1. Union of India, through
Directorate General Department
of Communication & Postal Doc Bhavan,
Sansad Marg, New Delhi.
2. Chief Post Master General,
Madhya Pradesh Circle, Bhopal.
3. Superintendent, Post Office
Chhatarpur, Division Chhatarpur
(MP).
4. Sub Divisional Inspector (Postal),
Sub Division Niwadi, Distt.
Tikamgarh, (MP). ... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

The applicant has filed this Original Application
challenging the order dated 22nd October, 2003 ~~(XXXXXX)~~
passed by respondent No. 3 and order dated 28th October,
2003 (Annexure A-7) passed by the respondent No. 4, by which
the services of the applicant have been terminated.

2. The brief facts of the case as stated by the applicant
are that he was initially appointed on the post of EDDA at
Sarua (Jatara). He was served with a memorandum dated 28th
February, 2003 with the allegation that while performing
the duties he has received an amount of Rs. 2,000/- which
has not been credited in the pass book. Thereafter an enquiry


mk

was held to investigate into the charges. After holding the enquiry the disciplinary authority has terminated the services of the applicant on 22.10.2003. Copy of which has not been produced by the applicant. According to the applicant he has neither received the copy of the finding of the enquiry report nor the order of termination issued by the disciplinary authority. He has also not filed any appeal against the termination order passed by the disciplinary authority. Therefore he has not availed/exhausted the departmental remedies available to him as required under Section 20 of the Administrative Tribunals Act, 1985.

3. In the circumstances we find that the applicant has to first exhaust the departmental remedies available to him and therefore we direct the applicant to file an appeal against the termination order to the appellate authority within a period of 4 weeks of receipt of copy of this order. The appellate authority ^{Services/} ie. Director Postal./ Chief Post Master General, Madhya Pradesh Circle, Bhopal is directed to decide the appeal of the applicant by a detailed, speaking and reasoned order within two months from the date of receipt of copy of the appeal alongwith this order from the applicant.

4. Accordingly, the Original Application stands disposed of at the admission stage itself.


(G. Shanthappa)
Judicial Member


(M.P. Singh)
Vice Chairman

*Forwarded
om
4-12-03*

"SA"

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

चौकिसिद्धि अचो दाल:-

- (1) जलपुर, जलपुर का एम.प. सिंगल, जबलपुर
- (2) जलपुर, जलपुर का एम.प. सिंगल V.L. Shukla, Adm.
- (3) जलपुर, जलपुर का एम.प. सिंगल Re. 3. No 2
- (4) जलपुर, जलपुर का एम.प. सिंगल

सूचना एवं आवश्यक कार्यवाही हेतु


4/12/03