

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 08th day of October, 2010

ORIGINAL APPLICATION NO. 89/2010

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Moolchand son of Shri Raghunath Sahai by caste Carpenter, aged about 61 years, resident of Gayatri Nagar, Dausa. Presently retired as P.A. from Sahapura's Head Post Office.

.....Applicant

(By Advocate: Mr. P.N. Jatti)

VERSUS

1. Union of India through the Secretary to the Government of India, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Superintendent Post Offices (MFL) Dn. Shastri Nagar, Jaipur.

.....Respondents

(By Advocate: Mr. Mukesh Agarwal)

ORDER (ORAL)

The applicant has filed this OA thereby praying that directions may be given to the respondents to pass order in his disciplinary case.

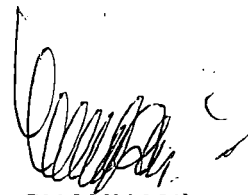
2. Notice of this application was given to the respondents. The respondents have filed their reply. In the reply, the respondents have categorically stated that Disciplinary Authority had forwarded report with his finding on the charges to the Government on 17.03.2009 for passing necessary orders in the name of the President as according to the respondents the applicant had already retired from service.

3. We have heard learned counsel for the parties and have gone through the material placed on record. In view of the stand taken by the respondents and the fact that inquiry proceedings had been completed and the report with the finding of charges had also been already sent to the Government as far as back on 17.03.2009, and the matter is pending before the Government for taking decision under Rule 9 of the CCS (Pension) Rules, 1972, the only order which can be issued in the facts & circumstances of this case is regarding issuance of time bound direction to the respondents to pass appropriate order. Accordingly, the present OA is allowed with the direction to respondent no. 1 to pass necessary order on the report so submitted on 17.03.2009 expeditiously and in any case within a period of three months from the date of receipt of a copy of this order.

4. With these observations, the OA is disposed of with no order as to costs.

Anil Kumar

(ANIL KUMAR)
MEMBER (A)



(M.L. CHAUHAN)
MEMBER (J)

AHQ