

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH**

ALLAHABAD

This is the 16TH day of *JULY, 2018*.

HON'BLE MR GOKUL CHANDRA PATI, MEMBER (A).
HON'BLE MR RAKESH SAGAR JAIN, MEMBER (J).

ORIGINAL APPLICATION NO. 330/00502/2018

Kumari Devaki Tewari,

Daughter of Late Dharmanand Tiwari, G. D. S. Packer Pokhar Khali,
Almora.

C/o Shri Bhola Yadav, Grampure Gobai, Post Office Baraut, Tehsil
Handia, District Allahabad.

.....Applicant.

VERSUS

1. Union of India through Secretary Ministry Department of Posts and Telegraph.
2. Inspector Post Office (East), Sub Division Almora.
3. Superintendent of Post Offices Almora Division Almora.
4. Assistance Superintendent of Post Offices Almora Division Almora.

.....Respondents

Advocates for the Applicant : Shri Chanchal Kumar Rai

Advocate for the Respondents : Shri D. S. Shukla

ORDER

(Delivered by Hon'ble Mr. Gokul Chandra Pati, Member-A)

Heard Shri Chanchal Kamar Rai, learned counsel for the applicant and Shri D. S. Shukla, learned counsel for the respondents.

2. Learned counsel for the applicant submitted that the grievances of the applicant would be addressed at this stage if a direction is given to the respondents to dispose of the appeal that would be filed by the applicant against the impugned order dated 12.02.2015. Learned counsel for the respondents submitted that this case is not maintainable since the applicant has not exhausted the appellate forum in the department before approaching the Tribunal. He also stated that the respondents will consider the appeal if any direction is given to their effect.

3. In view of above submissions, the applicant is directed to file an appeal under the appropriate Rule before the competent authority against the impugned order dated 04.02.2015 with an application for condonation of delay, if required. On receipt of such an appeal, the competent appellate authority shall decide the appeal as per the provision of the Rules and shall dispose it of by passing a reasoned and speaking order within a period of four months from the date of receipt of a certified copy of this order.

4. With the above direction, the OA is disposed of. It is made clear that we have not expressed any view about the merits of the case. No order as to costs.

(RAKESH SAGAR JAIN)
MEMBER-J

(GOKUL CHANDRA PATI)
MEMBER-A

/Shashi/