

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

This the 15<sup>TH</sup> day of **FEBRUARY 2018**.

**ORIGINAL APPLICATION NO. 1001 OF 2017**

**HON'BLE MR. JUSTICE DINESH GUPTA, MEMBER (J).**  
**HON'BLE MR. GOKUL CHANDRA PATI, MEMBER (A).**

1. Ashok Kumar Rajput, aged about 29 years, S/o Shri Ram Lal Rajput, presently posted as Postal Assistant under Senior Superintendent of Post Offices, Jhansi (now under suspension in another case), Permanent R/o Village Ghislani, Post Parasari (Unnao), District Datia (M.P.)-475671 presently residing at C/o Shri S.B. Singh, Gondu Compound, Sipri Bazar, Jhansi-284001.

.....Applicant

**VE R S U S**

1. Union of India through the Secretary, Ministry of Communication & I.T. Dak Bhawan, Sansad Marg, New Delhi.
2. Chief Post Master General, U.P. Circle, Lucknow.
3. Director Postal Services, in the Office of P.M.G., Agra Region, Agra.
4. Senior Superintendent of Post Offices, Jhansi Division, Jhansi.

.....Respondents

Advocate for the Applicant : Shri S.K. Kushwaha

Advocate for the Respondents : Shri Jai Singh

**ORDER**

**(Delivered by Hon'ble Mr. Justice Dinesh Gupta - J.M.)**

Shri S.K. Kushwaha, counsel for the applicant and Shri Jai Singh, counsel for the respondents are present.

2. Learned counsel for the applicant submitted that the applicant was initially exonerated by the Disciplinary Authority, however, the Appellate Authority after issuing a disagreement note punished the applicant with recovery of Rs. 3,60,000/-. The

applicant preferred a petition before CPMG which is still pending. From the records, it is clear that the applicant was awarded the punishment of recovery of Rs. 3,60,000/- in 36 months by the Director Postal Services, Agra vide order dated 30.05.2017 (Annexure No. A-3 to the O.A.), against which the applicant preferred a petition dated 04.07.2017 which is still pending.

3. Learned counsel for the respondents submitted that he is not aware whether any such petition has been preferred by the applicant or not, however, he has no objection if a direction is issued by this Court to the respondents/competent authority to decide the pending petition by a reasoned and speaking order within a stipulated time frame.

4. Since, the applicant has already availed the remedy available to him under the departmental proceedings, the applicant is again directed to submit a copy of the petition along with certified copy of this order to the Chief Post Master General i.e., respondent no.2 within three weeks. Thereafter, the respondent no. 2 will decide the petition treating it as appeal against the impugned order and decide the same by reasoned and speaking order within two months from the date of receipt of the petition and the certified copy of this order. In case, the applicant requests for personal hearing, the respondents shall grant the opportunity of personal hearing to the applicant. The decision so taken shall be

communicated to the applicant. From the date of filing of the appeal as stated above till the disposal of the appeal/petition by the Appellate Authority (respondent no. 2), no recovery shall be made from the applicant in view of the fact that the Disciplinary Authority had exonerated the applicant and the penalty was imposed by the Appellate Authority (respondent no. 3) in this case.

5. With the above direction the O.A. is disposed of. No order as to costs. It is made clear that we have not entered into the merits of the case.

**(GOKUL CHANDRA PATI)**  
**MEMBER- A**

**(JUSTICE DINESH GUPTA)**  
**MEMBER-J**

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