

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...

ORIGINAL APPLICATION NO.060/00205/2018

Chandigarh, this the 21st day of February, 2018

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**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MRS. P. GOPINATH, MEMBER (A)**

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Smt. Manjit Kaur W/o Sh. Amrik Singh, aged 29 years, working as Postal Assistant, SBCO, Faridkot Division, Faridkot, resident of VPO Shreentowala Bazar, Firozepur (Punjab) (Group-C).

....APPLICANT

(Present: Mr. Rohit Sharma, Advocate)

VERSUS

1. Union of India through the Secretary to the Government of India, Ministry of Telecommunications & Information Technology, Department of Posts, Dak Bhawan, New Delhi.
2. Director Postal Services, Office of Postmaster General, Punjab West Region, Sector 17, Chandigarh-160017.
3. Superintendent of Post Offices, Faridkot Division, Faridot-151203.

....RESPONDENTS

ORDER (Oral)

SANJEEV KAUSHIK, MEMBER (J):-

Applicant has filed the present Original Application whereby he seeks quashing of order dated 26.05.2017 (Annexure A-1), vide which the penalty of recovery of Rs.1,00,000/- has been imposed inadvertently. Aggrieved against the penalty order, applicant has also filed appeal dated 14.06.2017 (Annexure A-2), which has not been decided till date.

2. Learned counsel for the applicant submitted that present O.A may be disposed of with a direction to the competent authority amongst the respondents to decide the pending appeal in time bound manner. However, he has also submitted that various requests has been made by the applicant for not effecting recovery pending appeal, but the respondents on one hand have not decided his appeal within time on the other hand started recovery for his salary. Therefore, he prayed that pending appeal they be decided to not to effect recovery.

3. We have given our thoughtful consideration to the entire matter and are of the view that the end of justice will meet if we dispose of petition in limine with a direction to the competent authority amongst the respondents to decide the pending appeal of the applicant, by passing a reasoned and speaking order, within a period of one month from the date of receipt of a certified copy of this order. If the competent authority will not decide the pending appeal within one month, then the respondents will not effect the recovery from the applicant till the decision of the pending appeal.

(P. GOPINATH)
MEMBER (A)

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(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 21.02.2018.