

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
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OA.350/00812/2016

Date of Order 22.07.2016.

Present : Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Jitendra Nath Mandal
Vs.
Union of India & Ors. (Posts)

For the Applicant : Mr. A. Chakraborty, Counsel
Ms. P. Mondal, Counsel

For the Respondents : Ms. P. Goswami, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:-

The statutory appeal preferred by the applicant before the Director of Postal Services against the order of penalty of recovery issued by the Supdt. of Post Offices, Malda Division imposing penalty of Rs. 5 lakhs @ 25,000/- from the salary of the applicant per month from January, 2016 to August, 2017, is pending before the Appellate Authority without disposal since March, 2016.

2. Learned counsel for applicant relies upon the several judgments of the Hon'ble High Courts wherein penalty of recovery due to contributory negligence has been deprecated and penalty orders have been quashed. However, no judgments have been mentioned in the appeal preferred before the Appellate Authority.

3. Therefore, the OA is disposed of with a direction upon the applicant to prefer an appeal citing the judgments within a period of one week from the date of receipt of a copy of this order.

4. Upon receipt of such appeal with judgments the Appellate Authority shall dispose of the appeal within a period of one month thereafter.

Delay preferring the appeal shall be condoned by the authority.

5. It is made clear that we have not gone into the merits of this matter and therefore all points are kept open for consideration by the appellate authority.

6. OA is accordingly stands disposed of. No costs.

(Jaya Das Gupta)
Member (A)

(Bidisha Banerjee)
Member (J)

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