

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

O.A.210/00241/2017

Date of decision : April 27, 2017.

**Coram: Hon'ble Shri Arvind J. Rohee, Member (J)
Hon'ble Ms.B. Bhamathi, Member (A).**

Mrunal Milind Parate,
Sorting Assistance
R/o.Flat No.B-707,
Omkar Arcade, Sec.15-A,
New Panvel, Tal. Panvel,
Dist. Panvel. ..Applicant.

**(By Advocate Shri Prasanna K. Shahane proxy
counsel for Shri Shailesh A. Chavan).**

Versus

1. Union of India, through
Ministry of Communication,
Department of Post,
Dak Bhavan, Sansad Marg,
P.O., New Delhi - 110 001.
2. Senior Superintendent of RMS,
Air Mail Sorting Division,
Mumbai - 400 099.
3. Director Postal Service,
Mumbai Region,
Mumbai Division,
Mumbai - 411 001.
4. Chief Post Master General,
Maharashtra Circle, G.P.O.,
Mumbai - 400 001. ..Respondents.

Order (Oral)

Per : Arvind J. Rohee, Member (J).

Today when the matter was called out for
admission, heard Shri Prasanna K. Shahane, proxy
counsel for Shri Shailesh A. Chavan, learned Advocate

for the applicant. We have carefully perused the case record.

2. The applicant in this O.A. has grievance regarding the order dated 15.03.2017 passed by the Disciplinary Authority in an inquiry proceedings by which punishment of dismissal from service was imposed upon him. The record shows that in the O.A. the applicant has sought the following reliefs:-

"(a) Rule be issued and Record and Proceeding be called for;

(b) This Hon'ble Court may be pleased to quash and set-aside impugned Dismissal vide bearing no.B1/Disc.Pro/MMP/Caste Verification/R-14/2017 dated 15.03.2017 passed by Senior Superintendent of RMS, Air Mail Sorting Division, Mumbai in the interest of justice;"

3. It is obvious that a statutory remedy of appeal to the appropriate Appellate Authority as provided under CCS (CCA) Rules has not been exhausted by the applicant by challenging the order passed by the Disciplinary Authority. In view of this the O.A. is premature. Hence O.A. cannot be entertained.

4. The O.A. is, therefore, disposed of at the admission stage without issuing notice to the respondents however with liberty to the applicant to approach the appropriate Appellate Authority for challenging the order passed by the Disciplinary

Authority, within a period of ten weeks from today.

5. In case the grievance of the applicant still persists, he will be at liberty to approach the appropriate forum.

6. On the request made by learned proxy counsel for the applicant issuance of certified copy of this order is expedited.

(Ms.B. Bhamathi)
Member (A)

(Arvind J. Rohee)
Member (J).

H.