

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.23/2018.

Date of Decision: 10.01.2018.

CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)

Vishwavijay Tukaram Gore
 Postal Assistant, Malshiras
 Sub Office, Pandharpur Division,
 Pandharpur – 413 304.
 R/at At Post Natepute,
 Tal.: Malshiras, Post:Malshiras,
 Dist. Solapur 413 109.

... ***Applicant.***

(Advocate by Shri S.P. Saxena)

Versus

1. Union of India,
 Through the Chief Postmaster
 General Maharashtra,
 G.P.O., Mumbai 400 001.
2. The Director of Post Offices
 Camp, Pune 411 001.
3. The Superintendent of Post
 Offices, Pandharpur Division,
 Pandharpur – 413 304.

... ***Respondents***

ORDER (Oral)

Per : Shri A.J. Rohee, Member (J)

Today when the matter is called out for admission, heard Ms. Annie Nadar, learned proxy counsel for Shri S.P. Saxena, learned Advocate for the Applicant. We have carefully perused the case record.

2. The Applicant who is presently working

as Postal Assistant at Malshiras Sub Office, in Pandharpur Division under Respondent No.3 has filed the present OA under Section 19 of the Administrative Tribunals Act, 1985, with limited prayer as stated in para 8 as under:

“8.a) To allow the Original Application,

8.b) To direct the Respondent No.2 to consider the pending appeal dated 18.05.2016, submitted by the applicant and decide the appeal in a fixed period of four weeks.

8.c) To pass any other appropriate order in the facts and circumstances of the case.

8.d) To award the cost of application.”

3. It is stated that in a disciplinary proceeding initiated against the applicant, he was found guilty and penalty of reduction of pay to the lower time scale of Rs.5200-20200 for a period of five years w.e.f. 01.05.2016 is imposed. This order was challenged before the Appellate Authority - Respondent No.3 vide Appeal dated 18.05.2016. According to learned Advocate for the Applicant, the said Appeal is still pending, since nothing has been heard from the other end. In view of this, limited prayer is made for issuance of direction to the Appellate Authority to decide the

pending Appeal.

4. It is needless to say that, after filing Appeal it is for the Appellate Authority to take effective, appropriate and prompt steps in deciding the Appeal expeditiously and not to keep it pending for years together, without informing the appellant about the progress. Since according to learned Advocate for the applicant, the Appeal is still pending, this OA can be disposed of with appropriate direction.

5. The Respondent No.2 - Director of Post Offices Camp, Pune is, therefore, directed to consider and pass a reasoned and speaking order on the pending Appeal dated 18.05.2016 submitted by the applicant, against the order of Disciplinary Authority (Respondent No.3) in accordance with law, within a period of six weeks from the date of receipt of certified copy of this order.

6. The order so passed shall then be communicated to the applicant at the earliest, who will be at liberty to approach the appropriate forum, in case his grievance still persists.

7. The OA stands disposed of with the above directions at the admission stage, without issuing notice to the respondents and without making any comments on merits of the claim.

8. ***DASTI.***

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

dm.