

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 040/00416/2018

Date of Order: This, the 14th day of December 2018

**THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER
THE HON'BLE MR. N. NEIHSIAL, ADMINISTRATIVE MEMBER**

Shri Nitumani Nath
Son of Late Ghanashyam Nath
Postal Assistant, Balipara S.O.
Resident of South West Hazarapara
P.O. – Tezpur – 784001, P.S. – Lalmati
District – Sonitpur, Assam.

...Applicant

By Advocate: Mr. D.N. Sarma

-Versus-

1. The Union of India
Represented by the Secretary
To the Govt. of India, Ministry of Communications
Department of Posts
Dak Bhawan, New Delhi - 110116.
2. The Director of Postal Services (HQ)
O/o the Chief Postmaster General
Assam Circle, Meghdoot Bhawan
Guwahati – 781001.
3. The Sr. Superintendent Post Offices
Darrang Division, Tezpur – 784001.

...Respondents

By Advocate: Mr. R. Hazarika, Addl. CGSC

ORDER (ORAL)**MANJULA DAS, JUDICIAL MEMBER:**

By this O.A., applicant makes a prayer for a direction upon the respondent authorities to set aside and quash the impugned punishment order under Memo No. F4-I (A) Tezpur H.O/Fraud/2016-2017/R-16/N Nath dated 24/27.07.2018 issued by the respondent No. 3 and the charge Memo No. F4-I (A) Tezpur H.O/Fraud/2016-2017/R-16/N Nath dated 08.06.2018.

2. At the outset of moving the instant O.A., Mr. D.N. Sarma, learned counsel appearing on behalf of the applicant submits that against the Disciplinary Authority's order dated 24/27.07.2018, applicant preferred an appeal before the appellate authority on 10.09.2018 with a prayer to set aside the Disciplinary Authority's order dated 24/27.07.2018 in terms of the provision in sub Rule (2) of Rule 27 of CCS (CCA) Rules. Accordingly, learned counsel prays for a direction upon the respondents to dispose of the said appeal dated 10.09.2018 where the learned Addl. CGSC appearing on behalf of the respondents Mr. R. Hazarika has no objection.

3. In view of the above, by accepting the prayers made by the learned counsel on both sides as well as without

issuing notice to the respondents and without going into the merit of the case, we direct the appellate authority to dispose of the pending appeal dated 10.09.2018 within a period of one month with due opportunity of being heard to the applicant and if so desires, defence assistance of lawyer be allowed.

4. O.A. stands disposed of accordingly. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)

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