

**CENTRAL ADMINISTRATIVE TRIBUNAL,
LUCKNOW BENCH,
LUCKNOW.**

Original Application No. 04 of 2019

This the 10th day of January, 2019

Hon'ble Ms. Jasmine Ahmed, Member-J
Hon'ble Mr. Devendra Chaudhry, Member-A

Chandra Kumar Gupta, aged about 59 years, S/o late Gobardhan Lal Gupta, Sub Post Master Tambour, Sitapur (under suspension) at present residing at C/o Majji Lal, Vikas Nagar, Sitapur

.....Applicant

By Advocate: Sri Surendran P.

V E R S U S

1. Union of India, through the Secretary, Department of Posts, New Delhi.
2. Chief Postmaster General, U.P. Circle, U.P., Lucknow.
3. Director of Postal Services (HQ), Office of CPMG, U.P. Circle, Lucknow.
4. Superintendent of Post Offices, Sitapur Division, Sitapur.

.....Respondents

By Respondents: Sri Rajesh Katiyar

O R D E R (Oral)

By Ms. Jasmine Ahmed, Member-J

Heard the learned counsel for the applicants as well as learned counsel for the respondents and perused the records.

2. Learned counsel for the applicant states that the applicant has been dismissed from service by the respondent no.3 vide order dated 26.12.2008 to which learned counsel for the respondents states that the applicant has rushed to this Tribunal without availing the departmental remedy available to him i.e. appeal to the appellate authority against the dismissal order and as such the present O.A. is pre-mature and is liable to be dismissed on this ground alone. We feel that there is some substance in the arguments put-forth by the learned counsel for the respondents.
3. With the consent of learned counsel for the parties, we dispose of this O.A. finally at admission stage itself with a direction to the applicant to prefer an appeal before the appellate authority against the dismissal

order dated 26.12.2018 within 15 days from today and the appellate authority shall consider and decide it within a period of six weeks from the date of receipt of such appeal in accordance with law by passing a reasoned and speaking order under intimation to the applicant. It is made clear that nothing has been commented on the merits of the case. There shall be no order as to costs.

(Devendra Chaudhry)
Member-A

(Ms. Jasmine Ahmed)
Member-J

Girish/-