

**CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH**

Original Application No. 043/00426/2018

Date of Order: This, the 04th day of January 2019

THE HON'BLE SMT. MANJULA DAS, JUDICIAL MEMBER

THE HON'BLE MR. N. NEHSIAL, ADMINISTRATIVE MEMBER

Shri Chandra Bhushan Prasad
Postal Assistant, Tura Head Office
P.O. – Tura, Meghalaya, Pin – 794001.

...Applicant

By Advocate: Mr. S. Nath & Mr. G.J. Sharma

-Versus-

1. The Union of India
Represented by the Secretary
To the Govt. of India, Ministry of Communications
And IT, Department of Post, Dak Bhawan
Sansad Marg, New Delhi – 110116.
2. The Chief Post Master General
North East Circle, Shillong
Shillong – 793001.
3. Director of Postal Services
North East Circle, Shillong
Shillong – 793001.
4. Superintendent of Post Offices
Meghalaya Division, Shillong
Shillong – 793001.

...Respondents

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

O R D E R (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 memorandum of charge sheet dated 19.05.2017, the impugned inquiry report dated 12.04.2018 and impugned penalty order dated 22.06.2018 and to direct the respondents to refund the money already recovered in terms of the impugned penalty order dated 22.06.2018.

2. At the outset of moving the instant O.A., Mr. S. Nath, learned counsel appearing on behalf of the applicant submits that against the impugned penalty order dated 22.06.2018, the applicant preferred an appeal before the Director of Postal Services (HQ), respondent No. 3 on 07.08.2018 with a prayer to set aside the impugned penalty order. Accordingly, learned counsel prays for a direction upon the respondents to dispose of the said appeal dated 07.08.2018 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/ Respondent No. 3 to dispose of the pending appeal dated 07.08.2018 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. Till then, no such recovery shall be made. It is made clear that, whatever decision to be arrived by the Appellate Authority/Respondent No. 3, shall be reasoned and speaking and shall be communicated to the applicant forthwith.

5. With the above direction, O.A. stands disposed of accordingly at the admission stage. No order as to costs.

(N. NEIHSIAL)
MEMBER (A)

(MANJULA DAS)
MEMBER (J)