

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,  
ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the **05<sup>th</sup>** day of **August**, 2019

Present :

**Hon'ble Ms. Ajanta Dayalan, Member-A**  
**Hon'ble Mr. Rakesh Sagar Jain, Member-J**

Original Application No.330/00247/2019

Vijay Kumar Sanjay son of Late Sri Kedar Nath, Aged about 55 years, Resident of Rajiv Colony, Near Bajrang Property dealer Subhash Nagar, Bareilly – 243001 (U.P.), presently working as Sorting Assistant RMS Bareilly Division Moradabad.

.....Applicant.

By Advocate –Shri S.S. Tiwari  
 Shri Somnath Bhattacharya

**V E R S U S**

1. Union of India through Secretary Department of Posts, Dak Bhawan, New Delhi.
2. The Chief Post Master General, U.P. Circle, Department of Post Lucknow.
3. Post Master General Bareilly Division Department of Post Bareilly.
4. Superintendent R.M.S. Bareilly Division Department of Post Bareilly.

..... Respondents.

By Advocate : Shri L.P. Tiwari  
 Shri V.K. Pandey

**O R D E R**

**By Hon'ble Ms. Ajanta Dayalan, Member-A :**

Heard Shri Somnath Bhattacharya, counsel for the applicant and Shri V.K. Pandey, counsel for the respondents.

2. At the outset, learned counsel for the applicant states that the applicant was punished vide order dated 26.04.2018 (Annexure-A-2) by reduction of his pay by three stages for three years without cumulative effect. Learned counsel for the applicant states that after

this, the applicant has further been compulsorily retired from service vide order dated 16.11.2018 (Annexure-A-1) under Rule 56 of Fundamental Rules and Rule 48 of CCS (Pension) Rules, 1972.

3. Learned counsel for the applicant states that the applicant made a representation/appeal dated 07.12.2018 (Annexure-A-4) against his compulsory retirement to the department which has not yet been decided by the respondents. Learned counsel for the applicant states that he will be satisfied in case a direction is given to the respondents to consider and decide the appeal/representation of the applicant dated 07.12.2018 (Annexure-A-4) within a stipulated period of time.

4. In view of the limited prayer made by the counsel for the applicant, we direct the Respondent No.2/Competent Authority amongst the respondents to consider and decide the appeal/representation of the applicant dated 07.12.2018 (Annexure-A-4) by passing a reasoned and speaking order within a period of three months from the date of receipt of certified copy of this order. The order so passed shall be communicated to the applicant.

5. It is made clear that this order shall not be construed as any expression or opinion on the merits of the case.

6. In view of the above direction, the OA is disposed of. No costs.

Member-J

Member-A

RKM/