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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2162/2003

New Delhi, this the 4th day of September, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

Sh. Anil Vats
S/o Sh. Ram Kanwar Vats
last working as Sorting Asstt.
Delhi Sorting Division
R/o 24, Suraj Nagar, Azad Pur
Delhi - 110 033.
Address for service of notices
C/o Sh. Sant Lal, Advocate
CAT Bar Room, New Delhi - 110 001.
...Applicant

(By Advocate Sh. Sant Lal)

V E R S U S

Union of India through

1. Secretary
Ministry of Communications
Deptt. of Posts, Dak Bhawan
New Delhi - 110 001.
2. The Director Postal Services (R)
Delhi Circle, Meghdoot Bhawan
New Delhi - 110 001.
...Respondents

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)

In this OA, the applicant has stated that he had filed an appeal to the competent authority i.e. respondent No.2 against the imposition of penalty of compulsory retirement from service by memo dated 31-12-2002. He has submitted that even though more than six months have elapsed since submission of that appeal, no decision has been communicated to the applicant by the appellate authority, in the form of a reasoned and speaking order which is required to be passed by him under law. Hence this OA.

2. The main relief prayed for by the applicant in the Original Application is for a direction to respondent No.1 to decide the aforesaid appeal dated


YB:

10-2-2003 (Annexure A-1) within a fixed period by passing a reasoned and speaking order with liberty to the applicant to approach the Tribunal if any grievance survives.

3. It is seen from Annexure A-1 that the applicant has addressed an appeal under Rule 23 of CCS (CCA) Rules, 1965 against imposition of penalty of compulsory retirement from service to respondent No.2. It is further noticed that there is a stamp of that office dated 10-2-2003. The grievance of the applicant is that the appellate authority has not responded to the appeal in accordance with law.

4. Noting the above facts and submissions of the learned counsel for the applicant, in case the aforesaid appeal has not been disposed of by the appellate authority/respondent No.2 till date, he shall do so by passing a reasoned and speaking order in accordance with law within one month from the date of receipt of a copy of this order, with intimation to the applicant.

5. OA is disposed of as above. In case any grievance still survives, liberty is granted to the applicant to proceed in the matter in accordance with law.



(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

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