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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD**

OA. No. 021/444/2017

Dated: 14/06/2017

BETWEEN:

Ch. Pushparajyam,  
W/o. Solomon,  
Aged about 59 years,  
Occ: SPM, BDL Bhanur SO,  
Sangareddy Division, Medak District (TS).

..... Applicant

AND

1. Union of India rep. by  
The Chief Postmaster General,  
Telangana Circle,  
Hyderabad – 500 001, TS.
2. The Postmaster General,  
Telangana Region, Hyderabad, TS.
3. The Director of Postal Services,  
O/o. The Postmaster General,  
Telangana Region, Hyderabad, TS.
4. The Superintendent of Post Offices,  
Sangareddy Division, Sangareddy,  
Medak District, TS.

..... Respondents

Counsel for the Applicants : Mr. B. Gurudas, Advocate  
Counsel for the Respondents : Mrs. Megha Rani Agarwal, Addl. CGSC

CORAM

Hon'ble Mrs. Minnie Mathew, Member (Admn.)

## ORAL ORDER

{Per Hon'ble Mrs. Minnie Mathew, Member (Admn.)}

Mr. Gurudas, learned counsel for the applicant present. Mr. A. Vijaya Bhaskar Babu, learned Standing counsel takes notice on behalf of Ms. Megha Rani Agarwal.

2. The applicant is aggrieved by the charge memo dated 04.02.2014 and Annexure -VI order dated 04.05.2017 of the 4<sup>th</sup> respondent imposing the penalty of recovery of Rs.6,51,666/- (Six lakhs fifty one thousand six hundred and sixty six rupees only) in 18 instalments from her pay and allowance from the month of June -2017 and also the reduction of her pay by one stage from Rs.58,600/- to Rs.56,900/- in the Pay Band of 9300 - 34800 + Pay matrix Level - 7 for a period of one (1) year w.e.f. 01.06.2017. The applicant has submitted Annexure-VII appeal to the 3<sup>rd</sup> respondent dated 15.05.2017, and the same is still pending. However recovery from her pay would begin from June itself.

3. Learned counsel for the applicant argued that the punishment of awarding two penalties for the same irregularities was disproportionate to the gravity of the offence. Further without communicating any note of disagreement with the finding of the Inquiry Officer, the 4<sup>th</sup> Respondent has held all the articles of charges as proved. His action is illegal and contrary to Rule 15(2) of CCS (CCA) Rules 1965 and violative of the principles of natural justice. He therefore prayed for quashing the impugned orders and suspension of the operation of the punishment.

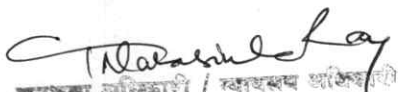




4. From the material on record it is seen that the applicant has submitted an appeal against the impugned orders to the appellate authority and the 3<sup>rd</sup> Respondent herein and that the same is pending. As the matter is pending consideration before the competent authority it is held that the applicant has not exhausted all the remedies available to be her for redressal of her grievance before approaching this Tribunal. Hence the OA against the impugned orders is not maintainable at this stage.
5. However in view of the financial hardship that the applicant would suffer by the recovery of Rs.36,000/- per month, without due consideration of her appeal, the punishment imposed in the impugned order dated 04.05.2017 is stayed until disposal of the appeal by the appellate authority. There shall also be a direction to the appellate authority to dispose of the applicants appeal in accordance with Rules within a period of eight weeks from the date of receipt of a copy of this order.
6. Accordingly, the OA is disposed of at admission stage. No order as to costs.

प्रमाणित प्रत  
CERTIFIED TRUE COPY

केस संख्या  
CASE NUMBER...OA: 444/17  
निर्णय का तारीख  
DATE OF JUDGEMENT...14/6/17  
प्रति तैयार किया गया कि  
COPY MADE READY ON...20/6/17

  
अनुसूचना अधिकारी / न्यायलय अधिकारी  
Section Officer / Court Officer  
केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
हैदराबाद न्यायपीठ/Hyderabad Bench

"Free Copy U/R 22 of  
CAT (Procedure) Rules"

