

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) NO. 1417 OF 2017

- Hemnath Sahu, S/o Shri Hethram Sahu, aged about 58 years, Occupation Removed Gramin Dak Sevak, R/o Adil, Post Aurada (Sakti), PS Malkharoda, District Janjgir-Champa (Chhattisgarh).

... Petitioner

Versus

1. Union of India, through the Secretary, Ministry of Communication & Information Technology, Department of Posts (GDS Section), Dak Bhawan, Sansad Marg, New Delhi 110116.
2. The Superintendent, Post Office, Bilaspur Division, District Bilaspur, Bilaspur (Chhattisgarh).
3. The Assistant Superintendent, Post Office, Korba Sub Division, District Korba, Korba (Chhattisgarh).

... Respondents

For Petitioner	:	Mr. Sunil Kumar Soni, Advocate.
For Respondents	:	Mr. N.K. Vyas, Asstt. Solicitor General, on advance copy.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

23/03/2017

1. Learned Counsel for the Petitioner at the outset submits that the present writ petition may be disposed of, with a limited prayer that the appeal which has been preferred against the order of punishment dated 26.10.2015 before the appellate authority within time, is still pending consideration before the appellate authority in spite of almost 1½ years having been passed from the time of appeal being preferred. He further submits that the Respondent No.2 is the appellate authority and therefore the writ petition may be disposed of, with a direction to Respondent No.2 to take a decision on the appeal on its merits at the earliest.

2. Without entering into the merits of the case so also the maintainability of the present writ petition before this Court, ends of justice would meet if the present writ petition is disposed of, with a direction to Respondent No.2, before whom it is said that the appeal of the Petitioner is pending, to decide the same, if not decided yet. Let the appeal be decided within a period of

three months from the date of communication of the certified copy of this order. In case, the Petitioner is aggrieved by the order of the appellate authority, he shall be at liberty to challenge the same before the concerned Administrative Tribunal in accordance with the provisions of law.

3. With the aforesaid direction, the present writ petition stands finally disposed of. No order as to costs.

Sd/-
(P. Sam Koshy)
JUDGE

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