

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF MAY  
TWO THOUSAND AND EIGHT

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**and**

**THE HON'BLE MR JUSTICE RAMESH RANGANATHAN**

**WRIT PETITION No. 11403 of 2008**

Between:

T.Ramachandar, A.P.Circle, Hyderabad.

**..... PETITIONER**

AND

1. The Chief Postmaster General, A.P.Circle, Hyderabad.
2. The Director General of Posts, New Delhi-I.
- 3 The Director of Accounts (postal), A.P.Circle, Hdyderabad.

**.....RESPONDENT(S)**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of certiorari, or any other appropriate writ, order or direction by holding the orders of the Hon'ble Central Administrative tribunal dated 21-05-2008 in O.A.No.298 of 2008 as illegal, arbitrary and without application of mind while directing the Central Administrative tribunal to entertain the O.A. by way of remitting it to Central Administrative tribunal, Hyderabad Bench, Hyderabad.

**Counsel for the Petitioner:MR.M.VENKANNA**

**Counsel for the Respondents: MR.A.RAJASHEKAR REDDY (ASST  
SOLICITOR GEN)**

**The Court made the following:**

**Order :** (per Hon'ble Sri Justice L.Narasimha Reddy)

The petitioner is working as Assistant Accounts Officer in the office of Director of Accounts, A.P.Circle, Hyderabad. Through an order dated 07-07-2008, the first respondent directed recovery of a sum of Rs.77,000/- from the petitioner in 35 equal instalments of Rs.2,200/- p.m. from May, 2008 onwards. Aggrieved thereby, the petitioner preferred an appeal to the second respondent. On the next day itself, he approached the Central Administrative Tribunal, Hyderabad Bench, Hyderabad, by filing O.A. No.298 of 2008 assailing the order dated 05-05-2008. The Tribunal dismissed the O.A. as premature vide its order dated 21-05-2008. Hence the writ petition.

Heard the learned counsel for the petitioner and the learned Additional Standing Counsel for respondents.

On the face of it, the O.A. filed by the petitioner was not maintainable, inasmuch as it was filed against the order passed by the first respondent even while the appeal preferred against it before the second respondent was pending. The maximum that can be done to protect the interest of the petitioner is that the amount to be recovered be reduced to half pending disposal of the appeal and to direct the appellate authority to dispose of the appeal within a specified time.

Hence the writ petition is disposed of directing that the second respondent shall pass appropriate orders in the appeal preferred by the petitioner within a period of three months from the date of receipt of a copy of this order. In the meanwhile, recovery from the petitioner shall be restricted to Rs.1,100/- (rupees one thousand one hundred only) per month.

There shall be no order as to costs.

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L.NARASIMHA REDDY,J

Dt:28.05.2008

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RAMESH RANGANATHAN,J

Note:Furnish copy within three days.

B/o

Usd/tsy

To

- 1.The Chief Postmaster General, A.P.Circle, Hyderabad.
- 2.The Director General of Posts, New Delhi-I.
3. The Director of Accounts (postal), A.P.Circle, Hdyyerabad.
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