

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2759/2002

New Delhi, this the 25th day of April, 2003

Hon'ble Sh. Shanker Raju, Member (J)

Sh. Krishan Kumar Gupta
S/o L. Shri Kishori Lal Gupta
working as Sorting Asstt. (TBOP) attached to
H.R.O. RMS 'D' Division, New Delhi - 110 002.
R/o Village Johripur, P.O. Gokulpuri, Delhi - 110 094.
Address for service of notices is C/o Sh. Sant Lal
Advocate, C-21(B), New Multan Nagar, Delhi - 56

...Applicant

(By Advocate Sh. Sant Lal)

V E R S U S

1. Union of India through
The Secretary
Ministry of Communications
Deptt. of Posts, Dak Bhawan
New Delhi - 110 001.
2. The Director Postal Services
Haryana Circle, Ambala Cantt - 133 001.
3. The Superintendent R.M.S. 'D' Division
Asaf Ali Road, New Delhi - 110 002.

...Respondents

(By Advocate Sh. K.R. Sachdeva)

O R D E R (ORAL)

By Shri Shanker Raju,

In the light of order passed on revision under Rule 29 of the CCS (CCA) Rules, 1965, wherein the punishment imposed upon the applicant has been set aside and the respondents are in the process of refunding the recovered amount as well as to expunge the remarks entered in his ACR. I do not find that the cause of action is still surviving in the present case.

2. However, keeping in mind the directions issued by the revisional authority to disciplinary authority to consider the request of the applicant to hold an enquiry under Rule 16 (1) (A) of the CCS (CCA)

- 2/-

Rules, 1965, which is in contrast ~~to~~ the applicants^{request} who wanted an enquiry under Rule 16 (1) (b) *ibid*. Keeping in view the principles of natural justice and the fact that the applicant wanted an enquiry to prove his innocence and to rebut by cross examining the witness, I direct the disciplinary authority while complying with the orders of revisional authority dated 31-12-2002 after supplying a copy of the relevant documents to the applicant, to hold an enquiry as envisaged under Rule 16 (1) (b) *ibid* and complete the same within a period of three months from the date of receipt of a copy of this order.

7

3. OA is disposed of accordingly.

S. Raju
(SHANKER RAJU)
MEMBER (J)

/vnd/