

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE**

**ORIGINAL APPLICATION NO.170/00428/2019**

**DATED THIS THE 05<sup>th</sup> DAY OF MARCH, 2020**

**HON'BLE DR.K.B.SURESH, JUDICIAL MEMBER**

**HON'BLE SHRI C.V.SANKAR, ADMINISTRATIVE MEMBER**

Sri D.S.Ujjappa  
S/o Late Siddappa Bhovi  
Aged : 54 years  
Ex Postal Assistant  
Thirthahalli SO-577432.  
Residing at:  
Kunchenahalli Village  
Soulanga SO-577225.

....Applicant

(By Advocate Sri P.Kamalesan)

Vs.

1. Union of India  
Represented by Secretary  
Department of Post  
Dak Bhavan  
New Delhi-110001.
2. Chief Post Master General  
Karnataka Circle  
Bangalore-560001.
3. Post Master General  
S.K.Region  
Bangalore-560001.
4. Superintendent of Post Offices  
Shimoga Postal Dv.  
Shimoga-577202.
5. Senior Superintendent of Post Offices  
(Adhoc Disciplinary Authority)  
Mangalore Postal Division  
Mangalore-575202.

....Respondents

(By Advocate Sri K.Gajendra Vasu, Sr.CGC)

O R D E R  
(PER HON'BLE SHRI C.V.SANKAR, MEMBER (ADMN))

The case against the applicant was on the charge memo issued vide Annexure-A1, a detailed enquiry was conducted and all the charges were held as proved including the misappropriation of money and conduct unbecoming of a Govt. servant. In one of the articles of charge, the punishments which were imposed on him over a period of time right from 1997 are also recorded. The applicant has admitted the charges relating to the misappropriation of money and as noted by the revisionary authority, the charge of non-payment of dues to the claimant has been proved and the applicant himself had admitted that he had not paid the amount but misused it. The prosecution witnesses have proved beyond any doubt that the applicant was fraudulent and had committed the misappropriation. The charges have been proved beyond doubt and adequate and more opportunities have been given to the applicant for defending his case.

2. We have issued orders in any number of cases relating to the respondent organisation and in the case of this applicant, it is not as though he has been punished for the first time. Apparently, he is in the habit of such misconduct and therefore after giving him all due opportunities, the respondents have removed him from service. We find no ground to interfere with their orders. The OA lacks merit and hence dismissed. No costs.

(C.V.SANKAR)  
MEMBER (A)

(DR.K.B.SURESH)  
MEMBER (J)

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Annexure-A1: SPO, Shimoga memo dtd.3.5.2014  
Annexure-A2: SPO, Shimoga letter dtd.3.6.2015  
Annexure-A3: Reply of applicant dtd.12.10.2015  
Annexure-A4: Sr.SPO, Mangalore Dvn. Memo dtd.31.12.2015  
Annexure-A5: PMG, SK Region letter dtd.25.5.2016  
Annexure-A6: Revision petition dtd.10.12.2016  
Annexure-A7: Representation dtd.2.7.2018  
Annexure-A8: CPMG, Bangalore letter dtd.5.11.2018

**Annexures with reply:**

Annexure-R1: KVP application Regn. No.647.13.7.2007  
Annexure-R2: SB order No.25/2010  
Annexure-R3: Asst.Surgeon, SJ General Hospital letter dtd.23.7.2013  
Annexure-R4: Local News paper 'Chalagara' on 25.7.2013  
Annexure-R5: Director of Postal Services, SK Region letter dtd.18.7.2014  
Annexure-R6: IO's report dtd.18.2.2015  
Annexure-R7: IA's letter dtd.20.8.2014  
Annexure-R8: Applicant's letter dtd.12.9.2014  
Annexure-R9: Applicant's letter dtd.17.9.2014  
Annexure-R10: Sri.Manjappa's statement dtd.12.7.2012  
Annexure-R11: Smt.Asha H.R's statement dtd.3.8.2012  
Annexure-R12: Applicant's statement dtd.12.7.2012  
Annexure-R13: Sri.Murugesha's statement dtd.3.8.2012  
Annexure-R14: Inquiry sitting held on 8.8.2014  
Annexure-R15: Inquiry held on 14.11.2014  
Annexure-R16: Order in OA.416/2016 of CAT, BG

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