

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE**

ORIGINAL APPLICATION NO.170/00428/2019

DATED THIS THE 05th 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)

/ps/

Annexures referred by the applicant in OA.No.170/00428/2019

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
