

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1156/2000

New Delhi this the 6th day of December, 2000.

HON'BLE MR. JUSTICE V. RAJAGOPALA REDDY, VICE-CHAIRMAN

Shri S.P. Sharma, Postal Assistant,
Sorting Centre, Govind Puri,
New Delhi-110019. ... Applicant

(None for the applicant)

-Versus-

1. Union of India through its Secretary, Ministry of Communication, Deptt., of Posts, Dak Tar Bhawan, New Delhi-110 001.
2. Chief Post Master General, Delhi Circle New Delhi-110001.
3. Sr. Superintendent of Post Offices, New Delhi South East Division, New Delhi-110003. ... Respondents

(By Advocate: Shri R.V. Singh for Shri R.V. Sinha)

O R D E R (ORAL)

Justice V. Rajagopala Reddy, Vice-Chairman (J):

None appears for the applicant, who ~~is absent~~ in person. Shri R.V. Singh, proxy counsel appears for Sh. R.V. Sinha, on behalf of the respondents. I have heard the learned proxy counsel for the respondents.

2. The order of the appellate authority, confirming the order of the disciplinary authority, directing recovery of Rs.16,200/- from the pay of the applicant @ Rs.450/- per month, is under challenge in this OA.

3. The applicant while working as Postal Assistant was issued a memo under Rule 16 of the CCS (CCA) Rules, 1965 containing the charge that by the inaction and

CRS

Manu

L

negligence of the applicant suppression of a huge ~~amount~~ was committed and that he also did not maintain the dak received through registered post/ordinary post and certain ~~or were absente~~ other allegations of similar nature which contributed to the commission and continuance of fraud of Rs.14,42,136/-.

The disciplinary authority, on considering the representation made by the applicant against the allegations, imposed the penalty of recovery as stated supra, by the impugned order dated 29.8.97, which has been confirmed by the appellate authority in its order dated 10.6.99. Though the applicant filed a revision, as it has not been disposed of, he has filed the present OA.

4. The main ground of attack of the applicant in the OA is that he had followed the instructions of the SPM and that the fraud has already come to light and was well within the knowledge of the authority and an enquiry was going on prior to the receipt of the DO letter was not given any consideration by the disciplinary authority. The applicant also narrates the routine procedure that ^{was} ~~is~~ under vogue in the office and that he has not deviated from the same to say that he was guilty of the misconduct.

5. I have perused the disciplinary authroity's order as well as appellate authority's order. The representation made by the applicant to the charges have been considered in detail and in depth and the case of the applicant was thoroughly examined and it is, therefore, not possible for me to re-appreciate the entire case of the applicant and come to a different conclusion. The appellate authority has considered all the pleas of the applicant and found that there was no infirmity in the order of the disciplinary authority. I cannot, therefore,

Ch

interfere with the impugned order, nor with the punishment awarded. The OA, therefore, fails and is dismissed. No costs.

(8)

Ambygopal Reddy
(V. Rajagopala Reddy)
Vice-Chairman (J)

San.,