

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00506/2020

Friday this the 23rd day of October, 2020

CORAM:

Hon'ble Mr. P.Madhavan, Judicial Member
Hon'ble Mr.K.V.Eapen, Administrative Member

K.Sekharan

Retired Postmaster

Sasthamangalam Post Office

Thiruvananthapuram- 695 010

Residing at Vasanth Vihar, Tharatha Road

Karakulam P.O, Thiruvananthapuram-695 564

Mob.No.8590448101

..... **Applicant**

(By Advocate : Mr.Vishnu S Chempazhanthiyil)

V e r s u s

1. Union of India, represented by
The Secretary & Director General
Department of Posts, Dak Bhavan
New Delhi – 110 001
2. The Chief Postmaster General
Kerala Postal Circle, Thiruvananthapuram-695 033
3. The Assistant Postmaster General
Kerala Postal Circle, Thiruvananthapuram-695 033

4. The Superintendent of Post Offices

South Postal Division, Thiruvananthapuram-695 036 **Respondents**

(By Advocate : Mr.N.Anilkumar,SCGSC)

This application having been heard on 23.10.2020 through video conferencing, the Tribunal on the same day delivered the following:

ORDER (ORAL)

Hon'ble Mr. P.Madhavan, Judicial Member –

The applicant after 35 years of service retired as a Postmaster from Sasthamangalam Post Office, Thiruvananthapuram. Towards the fag end of his career, on the basis of instigated complaint of Union activists in Postal Department, the applicant had been issued with a charge sheet for minor penalty and imposed with penalty of censure. Even though the applicant did not file an appeal, two years after the penalty by the disciplinary authority had become final, the revisional authority suo-moto revised the penalty and imposed penalty of barring of increment for 3 years, which is a major penalty. This resulted in substantial loss to the applicant, as big impact was made on cumulative effect of major penalty and substantially reduced his pensionary benefits. The applicant has submitted Annexure A6 statutory petition for review under Rule 29 A of CCS (CCA) Rules 1965. So far no orders have been passed finalizing Annexure A-6. Hence he approached this Tribunal praying for the following reliefs:

"1. Direct the 1st respondent to consider and pass orders on Annexure A6 within a time frame to be fixed by the Hon'ble Tribunal.

2. Any other further relief or order as this Hon'ble Tribunal may deem fit and proper to meet the ends of justice.

3. Award the cost of these proceedings to the applicant. "

2. Counsel for the applicant submits that the revision petition filed as Annexure A-6 is pending before the respondents and the applicant will be satisfied if a direction is given to the respondents for disposing the said revision petition at an early date.

3. Adv.Mr.Tony representing Adv.Mr.N.Anilkumar,SCGSC takes notice on behalf of the respondents and he submits that the respondents have no objection in disposal of the said revision petition.

4. In view of the limited submission, we are of the view that the Original Application can be disposed of at the admission stage itself without going into the merits. **The Competent Authority is directed to consider Annexure A-6 revision petition of the applicant in the light of relevant rules and regulations on the subject and pass a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order.**

5. The Original Application is disposed of as above. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

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List of Annexures

- Annexure A1 : True copy of the memorandum dated 20.5.2019 submitted by the applicant to the 1st respondent
- Annexure A2 : True copy of memorandum dated 17.6.2019 to the office of Prime Minister
- Annexure A3 : True copy of the communication No.VIG/6-32/SR/2018 dated 2.8.2019 issued by the Office of Prime Minister
- Annexure A4 - True copy of order dated 15.10.2019 in O.A No.180/00739/2019 of the Hon'ble Tribunal
- Annexure A5 - True copy of communication No.VIG/6-32/SR/2018 dated 13.11.2019 issued by the 3rd respondent
- Annexure A6 - True copy of submission dated 28.11.2019 to the 1st respondent
- Annexure A7 - True copy of communication No.F1/4/1/2017 dated 7.1.2020 issued by the 4th respondent
- Annexure A8 - True copy of representation dated 18.1.2020 to the 4th respondent .

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