

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A No. 180/00955/2019

Thursday, this the 17th day of December, 2020.

CORAM:

**HON'BLE Mr. P. MADHAVAN, JUDICIAL MEMBER
HON'BLE Mr. K.V. EAPEN, ADMINISTRATIVE MEMBER**

Geethakumari S., 60 years,
W/o. Chandrasenan (late),
Retired Sub-Postmaster,
Changanacherry Market (P.O),
Department of Posts.
Residing at “Anugraham”, Muruka Nagar,
Perunna (P.O), Changanassery – 686 101. - Applicant

[By Advocate : Mr. V. Sajithkumar]

Versus

1. Union of India represented by the Secretary to the Government of India, Director General of Post, Department of Posts, Ministry of Communication, Sanchar Bhavan, New Delhi – 110 001.
2. The Chief Postmaster General, Kerala Circle, Trivandrum – 695 033.
3. The Postmaster General, Central Region, Kochi – 682 020.
4. The Senior Superintendent of Post Office, Changanassery Division, Changanassery – 686 101. - Respondents

[By Advocate : Mr. T.C. Krishna, Sr. PCGC]

The application having been heard on 17.12.2020, the Tribunal on the same day delivered the following:

ORDER

Per: Mr. P. Madhavan, Judicial Member

The applicant filed this O.A seeking the following reliefs:-

“i. To quash Annexure A-1.
ii. To direct the respondents to pay an amount of Rs. 50 lakhs towards compensation and damages for the mental and physical hardships suffered by the applicant by the issuance of Rule 14 Charge Sheet without any serious allegations at the verge of her retirement.”

2. Learned counsel for the applicant submits that the applicant is aggrieved by the charge sheet under Rule 14 of the CCS (CCA) Rules at the verge of her retirement on a matter having no links with her, without conducting any investigation and even without taking any statement from the applicant in violation of the findings of the Circle Level Investigation Report naming out offenders, co-offenders and subsidiary offenders. The alleged fraud took place from 30.05.2009 to 20.10.2010. The Circle Level Inspection Report was submitted on 27.05.2019. There are no orders from any higher authority overruling the report submitted by the PMG, Northern Region. The applicant is not an offender/co-offender/subsidiary offender in Circle Level Inspection Report.

3. Heard Mr. V. Sajithkumar, learned counsel appearing for the applicant and Mr. T.C. Krishna, learned Senior PCGC on behalf of the respondents.

4. While hearing the matter, the learned counsel for the applicant submits that the applicant is retired and she will be satisfied, if a direction is given to the respondents to complete the inquiry within a specified period without prejudice to her rights to challenge the order passed.

5. Learned counsel for the respondents submits that the respondents have no objection in completing the inquiry and disposing of the disciplinary proceedings within a time frame.

6. In view of the above submission and without going into the merits of the case, respondents are directed to complete the inquiry and dispose of the disciplinary proceedings within a period of three months from the date of receipt of a copy of this order.

7. O.A is disposed of accordingly. No order as to costs.

(Dated, 17th December, 2020.)

**(K.V. EAPEN)
ADMINISTRATIVE MEMBER**

**(P. MADHAVAN)
JUDICIAL MEMBER**

Applicant's Annexures

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| Annexure A-1 | - | A true copy of the Charge Sheet under Rule 14 as per Memo No. F/4-2/2010-11 Vol. VI dated 06.11.2019 issued by the 4 th respondent. |
| Annexure A-2 | - | A true copy of the relevant pages of the Circle Level Investigation Report forwarded by letter dated 27.05.2019. |
| Annexure A-3 | - | A true copy of the representation dated 18.11.2019 submitted by the applicant before the 4 th respondent. |
| Annexure A-4 | - | A true copy of the petition dated 18.11.2019 is submitted by the applicant before the 4 th respondent. |
| Annexure A-5 | - | A true copy of the statements dated 04.11.2019 by Anu Mathai, SPM Nedumkunnam before the Inspector of Posts along with its translation. |
| Annexure A-6 | - | A true copy of the statement dated 04.11.2019 by Georgekutty Sebastian, Office Assistant Investigation Branch before the Inspector of Posts. |
| Annexure A-7 | - | A true copy of the letter dated 10.10.2019 of the Assistant Director (Vigilance) Central Region. |
| Annexure A-8 | - | A true copy of the written statement dated 27.11.2019 submitted by the applicant before the 4 th respondent. |

Annexures of Respondents

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| Annexure R-1 | - | True copy of Sanction Order for Provisional Pension to the applicant dated 16.12.2019. |
| Annexure R-2 | - | True copy of the Circle Level Investigation Report dated 22.05.2019. |
| Annexure R-3 | - | True copy of the Postal Directorate letter No. F. No. 4-92/Ker-05/2016-Inv. Dated 23.07.2019. |
| Annexure R-4 | - | True copy of the detailed calculation sheet for apportioning the amount of each serving subsidiary offender. |
| Annexure R-5 | - | True copy of Rule 58 of Financial Handbook Volume I. |
| Annexure R-6 | - | True copy of Rule 69 of CCS (Pension) Rule 1972. |
| Annexure R-7 | - | True copy of judgment dated 27.11.2019 of the Hon'ble High Court in OP (CAT) No. 307/2019. |
| Annexure R-8 | - | True copy of the Government of India's Decisions 23(10) (7) under Rule 3-C of the CCS (Conduct) Rules 1964. |
| Annexure R-9 | - | True copy of extract of Rule 11(iii) of CCS (CCA) Rules, 1965. |
