

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/0071/2021

Wednesday, this the 10th day of February, 2021

C O R A M :

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

Praveen A.R
aged 34 years
S/o.Shri.Ravi, Formerly working as
GDSBPM, Velancodee. Calicut and R/o.Attukuzhi House
Santhi Nagar P.O, Omasseri, Calicut – 673 582

...Applicant

(By Advocate Mr.K.P.S.Suresh)

v e r s u s

1. The Chief Post Master General
Dept. Of Posts, Thiruvananthapuram
Kerala – 695 033
2. Post Master General
Dept. Of Posts, Northern Region
Kozhikode-673 011
3. The Director of Postal Services
Northern Region, Calicut – 673 011
4. The Senior Superintendent of Posts
West Hill, Calicut – 673 005
(relocated from Kallayi to West Hill)

....Respondents

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

This application having been heard on 10.2.2021, this Tribunal, on the same day delivered the following :

O R D E R (ORAL)

HON'BLE Mr.P.MADHAVAN, JUDICIAL MEMBER

The applicant has been discharging his GDSBPM duties at Velancode in Calicut. In 2014, he was given the opportunity to serve as Postman against a leave vacancy at NIT Post Office, Calicut. His mother is a mental patient and after some quarrel with his mother his father left home. A substitute has joined his post at NIT Post Office on 26.11.2014. His attempt to meet SSP Calicut was physically resisted by MTS of SSP, Calicut-3. Subsequently he was put off from GDSBPM. After the Departmental Inquiry, it was concluded to remove him from the service. Appeal was rejected on account of delay. Revision was also rejected by PMG, Calicut. Hence he approached this Tribunal praying for the following reliefs:

"(1) To direct the 2nd respondent to take a lenient approach to condone the delay and to reconsider the appeal by affording a chance of hearing to this applicant by setting aside the impugned orders in Annex.A2, A5, A7 and A10 to the extent that is required for issuing the direction prayed for.

(2) After the proper consideration of appeal, the right of this applicant may kindly be declared as reserved to approach the revisional authority (respondent-1) , if the situation warrants so, to reconsider the matter on compassionate grounds by affording a proper hearing to this applicant to pass a detailed speaking order.

(3) Any other relief that is deemed fit in the opinion of Hon'ble Tribunal. "

2. When the matter came up for consideration, counsel for the applicant submits that he wishes to file a better Original Application seeking better reliefs on the basis of relevant rules, regulations and orders of the Department. Hence he wants to withdraw this Original Application and prays for the same. Permission granted and the **Original Application is dismissed as withdrawn**. No costs.

(K.V.EAPEN)
ADMINISTRATIVE MEMBER

(P.MADHAVAN)
JUDICIAL MEMBER

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List of Annexures

Annexure A1 - True copy of the news in this regard that appear in Mathrubhumi Daily dated 24.11.2014

Annexure A2 - Put off order vide B3/460A dated 26.11.2014 by SSP, Calicut – 673 003

Annexure A3 - True copy of the judgment in CC 1582/2014 of Judicial 1 Class Magistrate, Calicut dated 15.9.2017

Annexure A4 - True copy of the memorandum No.F5/1/2014-15 dated 27.2.2015 on the departmental inquiry

Annexure A4(a) - Typed copy

Annexure A5 - True copy of Memo No.F5/1/2014-15 dated 30.6.2016 of the Office of the SSP, Calicut Division, Calicut removing applicant from engagement as GDSBPM

Annexure A6 - True copy of the appeal submitted before DPS, Calicut dated 31.8.2019

Annexure A7 - True copy of the order in Memo No.STA/30-12/19-20 dated 14.10.2019 and corrigendum dated 17.10.2019 of the Director of Posts, Northern Region, Calicut rejecting appeal

Annexure A8 - True copy of letter No.B80/1/2019 dated 29.4.2020 of PMG-Calicut

Annexure A9 - True copy of the letter No.VIG/6-32/NR/2018 dated 5.6.2020 of CPMG-Trivandrum stating that Revision petition is transferred to PMG-Calicut .

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