

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/00117/2021

HYDERABAD, this the 22nd day of February, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



M.Chinna Rangadu
S/o M.Venkat Ramudu,
Age about 35 years,
Postal Assistant, Kurnool HO 518002.

...Applicant

(By Advocate : Mr. M. Venkanna)

Vs.

1. The Union of India represented by
The Secretary,
Ministry of Communication & IT,
Department of Posts – India,
Dak Bhavan, Sansad Marg,
NEW DELHI – 110001.
2. The Chief Postmaster General,
Andhra Pradesh Circle,
VIJAYAWADA – 520003.
3. The Director of Postal Services,
Kurnool Region,
O/o The Postmaster General,
Kurnool Region, KURNOOL.
4. The Superintendent of Post Offices,
Kurnool Division, KURNOOL.Respondents

(By Advocate : Mrs. M. Swarna, Addl. CGSC)

ORAL ORDER
(As per Hon'ble Mr.B.V.Sudhakar, Administrative Member)

Through Video Conferencing:

2. The OA is filed by the applicant with a prayer to quash and set aside the order passed by the 4th respondent dt. 15.01.2021 rejecting bias petition of the applicant against the Inquiry Officer and to direct the respondents to supply the documents as requested vide his representations dt. 12.03.2019 and 09.01.2020.

3. Brief facts are that the applicant was charge sheeted under Rule 14 of CCS (CCA) Rules, 1965 for charging excess agent commission to Govt. accounts. Applicant denied the charges on 1.11.2018. I.O was appointed and during the inquiry, certain additional documents were sought and for non supply of the same, bias petitions were filed on 5/18.11.2020. They were rejected on 15.1.2021. A review petition was filed on 21.1.2021, which is pending. Aggrieved, OA is filed.

4. The contentions of the applicant are that the I.O should direct the disciplinary authority to supply the additional documents since they are relevant and I.O should not buckle to the pressure of the disciplinary authority, to continue the Inquiry without supply of the documents.

5. Respondents through the Ld. respondents counsel have filed standing instructions wherein they state that the applicant has charged excess commission of Rs.46,047/- as agent commission which is not permitted under the Rules. Disciplinary authority has not furnished the additional documents for valid reasons. Applicant is habituated to charging excess



commission against rules. Bias petition was rejected on 15.1.2021 and the review petition in this regard is pending.

6. Heard both the counsel and perused the pleadings on record.

7. I. The dispute is about non supply of additional documents to the applicant during the disciplinary inquiry. Applicant claims that they are relevant and since they were not supplied, bias petition was moved against the I.O which was rejected by the disciplinary authority. Thereafter, a review petition in respect of bias was filed on 21.1.2021 which is pending disposal. It requires no mention that the supply of relevant documents is a necessary concomitant of the Principles of Natural Justice.

II. In view of the pendency of the review petition, the competent authority is directed to dispose of the review petition within 8 weeks from the date of receipt of this order as per rules and in accordance with law.

With the above direction the OA is disposed of, with no order as to costs.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER **(ASHISH KALIA)**
JUDICIAL MEMBER

evr