

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/313/2020

HYDERABAD, this the 8th day of July, 2020

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

Sri. G. Velu Achari,
S/o. Late G. Srinivasa Achary,
Age: 52 years, H.No.2-2-163,
Working as GDS Packer,
Tirupathi SPWMC-SVIMS TSO,
Tirupathi Town, Chittoor District, A.P.

... Applicant

(By Advocate: Mr. Krishna Devan)

Vs

1. Union of India rep. by
The Chief Postmaster General,
A.P. at Vijayawada.
2. The Postmaster General,
A.P. Southern Region,
Kurnool Town, A.P.
3. The Superintendent of Post Offices,
Tirupathi Division, Tirupathi, Chittoor District.
4. Sri S. Ramakrishna,
The Adhoc Disciplinary Authority-cum-
Postmaster, HPO,
Surat (Gujarat State).
5. The Postmaster, (Accounts),
Head Post Office,
Tirupathi, Chittoor District., A.P.
6. The Inspector, Posts,
Tirupathi West Sub Division,
Tirupathi – 517 502, Chittoor, A.P.

... Respondents

(By Advocate: Mr. D.Laxmi Narayana Rao, Addl. CGSC)

ORDER (ORAL)

Hon'ble Mr. B.V. Sudhakar, Admn. Member

Through Video Conference

The O.A. is filed aggrieved by the inaction of the 3rd respondent in disposing of the representations dated 19.11.2018 & 30.06.2019 made against the Show Cause Notice dated 12.11.2018 issued by the 3rd respondent.

2. The brief facts of the case are that the applicant, while working as Grameena Dak Sevak Packer in the respondent's organization, was imposed with the penalty of 'removal from service' on 27.03.2015, for being convicted in a Criminal Case by the competent Criminal Court. However, the appellate Criminal Court has acquitted him from the criminal charge. Thereupon applicant approached the respondents to reinstate him into service but when they did not do so, he filed O.A. No.175/2018 which was disposed of by this Tribunal on 26.02.2018 with a direction to dispose of the representation made by the applicant in regard to the issue in question. Accordingly, the 4th respondent on 15.05.2018 ordered reinstatement of the applicant as Grameena Dak Sevak and also directed that the period of his absence shall be treated as 'duty' for all practical purposes. Despite such an order, the applicant was not given pay and allowances due for the cited period. Instead of drawing the eligible amounts, the 3rd respondent has, by way of revision, initiated action under Rule 19(1)(ii) of GDS (Conduct & Engagement) Rules, 2011 and issued Show Cause Notice dated 12.11.2018, proposing to modify the order dated 15.5.2018 to that of "the period between the date of removal and the date of rejoining to duty of the GDS is

treated as such – No work, No Pay – for all purposes”. The applicant gave a reply to the show cause notice on 19.11.2018 as well as on 30.06.2019. However, till date, his representations have not been disposed of.

3. Heard Sri Krishna Devan, learned counsel for the applicant and Sri D. Laxmi Narayana Rao, learned counsel for the respondents and perused the material papers available on record.

4. In view of the prayer made by the applicant to grant pay and allowances for the interregnum period in his representations as well as in the O.A, the respondents are directed to dispose of his representations dated 19.11.2018 & 30.06.2019, based on the grounds raised in the O.A. along with the pleas taken in the representations, by issuing a reasoned and speaking order, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that we have not gone into the merits of the case.

5. With the above direction, the O.A. is disposed of at admission stage.
No order as to costs.

(B.V. SUDHAKAR)
ADMN.MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/pv/