

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/020/317/2020

HYDERABAD, this the 8th day of July, 2020

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

P. Mahesh, S/o. Palemkota Gangadharam,
Age: 30 years, Postal Assistant,
Kodur, SO – 516 101,
Cuddapah District, Andhra Pradesh.

... **Applicant**

(By Advocate: Mr. K. Siva Reddy)

Vs.

1. Union of India rep. by Secretary,
Ministry of Communications &IT.,
Department of Posts, Dak Bhawan,
Sansad Marg, New Delhi – 110 001.
2. The Chief Post Master General,
Andhra Pradesh Postal Circle,
Vijayawada – 520 013.
3. Superintendent of Post Offices,
Cuddapah Postal Division,
Cuddapah – 516 001.
4. Sri. S. Narsimhulu, Inquiry Officer and
Assistant Superintendent of Post Offices,
Cuddapah North Sub-division,
Cuddapah – 516 001.
5. Sri. N. Reddi Basha,
Inquiry Officer and Inspector- Posts,
Pulivendula Sub-division,
Pulivendula – 516 390.

... **Respondents**

(By Advocate: Mr. N. Parameswara Reddy, Sr. PC to CG)

O R D E R (ORAL)

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

Through Video Conference

The applicant is challenging the inaction of the respondents in not concluding the inquiry pursuant to the issue of charge memoranda dated 26.11.2018 & 10.05.2019 respectively.

2. The brief facts of the case are that the applicant, while working as Postal Assistant in the respondent's organization, had been implicated for contributory negligence vide charge memo dated 26.11.2018/ 18.04.2019. Another charge memo was also issued to the applicant for delay in delivery of Speed Post articles vide Memo dated 10.05.2019. While the situation stood so, applicant passed the examination conducted for promotion to the post of Inspector of Posts, the results of which were announced on 24.06.2020. However, the case of the applicant was kept in a sealed cover in view of the pendency of the above charge memoranda. Aggrieved by the same, the present O.A. has been filed.

3. Heard Sri K. Siva Reddy, learned counsel for the applicant and Sri N. Parameswara Reddy, learned counsel for the respondents and perused the material papers available on record.

4. It is seen that the charge memoranda have been issued to the applicant on 26.11.2018 & 10.05.2019. Years have passed and yet, the inquiry relating to the said charge memoranda has not been concluded. It is well settled in law that disciplinary inquiry should be reasonably completed in six months and definitely not beyond an year.

5. Even Rule 14(24) of CCS (CCA) Rules 1965 stipulates that the Inquiring Authority should conclude the inquiry and submit report within a period of six months from the date of receipt of his order of appointment as the Inquiring Authority. In the instant case, the Inquiry Officer was appointed/ set of charges were framed on 26.11.2018 & 10.05.2019 respectively. More than a year has been lapsed but the inquiry reports have not been submitted. It requires no reiteration that it is incumbent on part of the respondents to complete the inquiry in time so that a final decision is taken in regard to the lapse committed by the employee and thereafter decide the imposition of the penalty as deemed fit. Not doing so will affect the morale of the employee as well as the efficiency of the organization.

6. As rules are clear that the inquiry has to be completed in a stipulated time period, we direct the respondents to complete the inquiries relating to both the charge memoranda referred to above, within four months from the date of receipt of a copy of this order. In case the inquiry is not completed within the stipulated period, the Tribunal may have to examine the issue for setting aside the charges levelled against the applicant, as laid down in law, if challenged by the applicant if he so desires.

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

**(B.V. SUDHAKAR)
ADMN.MEMBER**

**(ASHISH KALIA)
JUDL. MEMBER**

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