

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

OA/021/80/2021

HYDERABAD, this the 1st day of February, 2021



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

A. Gangadhar, Group - C
S/o. Kasinath,
Aged about 50 years,
GDSBPM (Removed)
Wadyal BO a/w. Nirmal SO,
Adilabad Division,
R/o. Wadyal – 504 106.

...Applicant

(By Advocate : M. Venkanna)

Vs.

1. Union of India rep. by
The Chief Postmaster General,
Telangana Circle,
Hyderabad – 500 001.
2. The Director of Postal Services,
Hyderabad Region,
O/o. Postmaster General,
Hyderabad Region,
Hyderabad – 500 001.
3. The Superintendent of Post Offices,
Adilabad Division,
Adilabad – 504 001.

...Respondents

(By Advocate : Sri A. Radha Krishna, Sr. PC for CG)

ORAL ORDER
(Hon'ble Mr. B.V. Sudhakar, Admn. Member)

Through Video Conferencing:

2. The OA is filed challenging the removal of the applicant from service by the disciplinary authority and confirmed by the appellate authority.



3. Brief facts of the case are that the applicant was issued a charge sheet under Rule 10 of GDS (Conduct & Engagement) Rules, 2011, while working as GDS Branch Post Master on 5.5.2015. Disciplinary inquiry was held and based on the I.O. report, applicant was removed from service on 31.10.2016 by the disciplinary authority. Appeal preferred was rejected on 30.6.2017. Revision petition preferred on 26.12.2017 has not been disposed. Aggrieved by the penalty of removal imposed on him, the OA is disposed.

4. The contentions of the applicant are that the respondents appointed the I.O and P.O before the applicant could submit a reply to the charge sheet. Respondents failed to introduce the prime witness Smt. Bharath Lakshmi and Sri Bharath Bhumaiah. The I.O. based his findings on the Presenting Officer brief. I.O. did not consider the intrinsic evidence let out during the inquiry.

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

6. The applicant is aggrieved that he has been removed from service by not following the proper procedure in regard to the appointment of I.O. and P.O and that the I.O has based his findings on the P.O brief. Besides, crucial evidence let out in the inquiry, which is in favour of the applicant, was not reckoned. The disciplinary authority imposed the penalty without proper application of mind and the appellate authority has disposed the appeal in a routine manner. The revision petition preferred on 26.12.2017 has not been disposed, as submitted by the applicant.



7. In view of the fact that the applicant is removed from the service, it is the incumbent on part of the respondents to dispose of the Revision petition preferred and hence, they are directed to do so within a period of 4 weeks from the date of receipt of this order, keeping in view the extent rules/law and also by considering the contentions made by the applicant in the OA, by issuing a reasoned and speaking order.

With the above direction, the OA is disposed of, with no order as to costs, without going into the merits.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/evr/