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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...
O.A. No. 1245 of 1987

Dated: 19.12.1994

Hon. Mr. S. Das Gupta, A.M.
Hon. Mr. J.S. Dhaliwal, J.M.

Munna Lal Sharma, son of Sri Jatadhar
Sharma, Ex. EDBPM(Jasrana) Mainpuri,
R/o Village Bahat, P.O. Bahat District
Mainpuri. ... Applicant.

(BY Advocate Sri B. Yadav)

Versus

1. Union of India through its P.M.G.
Lucknow.
2. Addl. P.M.G. U.P. Circle
(Director Postal Services) Kanpur.
3. The Superintendent Post Offices Division,
Mainpur. ... Respondents.

(By Advocate Sri N.B. Singh)

O R D E R
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(By Hon. Mr. S. Das Gupta, Member (A))

None for the applicant. Sri N.B. Singh
for the Respondents. This case was earlier dismissed
in default due to non-appearance of the applicant
but the same was restored on 25.2.1994. Although,
the case was listed for hearing today, none has
appeared on behalf of the applicant and there is
no application for adjournment. In view of this, we
have heard the learned counsel for the respondents
and gone through the averments in the pleadings
and pass the orders as follows;

2. The applicant in this case was a 'EDBPM' and it is stated that he was working simultaneously in that capacity as well as a teacher in a junior High School. The respondents had directed the applicant ^{to} resign from the post of teacher incase he would like to continue as 'EDBPM' but the applicant did not comply with this direction. He was accordingly charge-sheeted for major penalty vide charge-memo dated 16.1.1985 and thereafter an inquiry was held into the charges and the disciplinary authority imposed a penalty of removal from service vide impugned order dated 27.6.1987. This order was appealed against and the appellate authority by the impugned order dated 17.11.1987 (Annexure-A 12) rejected the appeal. This application has been filed praying for quashing of the impugned orders of the disciplinary authority and the appellate authority and for consequential benefits.

3. We have gone through the pleadings and we find that the applicant was served with charge-memo and there is nothing on record to show that he was not afforded adequate opportunity to defend himself in the inquiry. We also find no infirmity in the procedure adopted by the disciplinary authority nor in the order of the disciplinary authority and the appellate authority.

S.

(A)

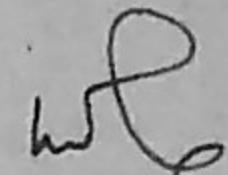
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4. In view of the foregoing, we find no merit in this application and the same is hereby dismissed.


Member (J)

(n.u.)


Member (A)