

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The First Day of May, 2000.

Coram: Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

Original Application No. 1704 of 1992.

M.L. Mishra,
Accountant,
Auraiya Head Post Office,
Distt. Etawah.

. . . Applicant.

Counsel for the Applicant: Sri A.K. Singh Adv. and
Sri Y.P. Chaturvedi, Adv.

Versus

1. The Union of India through the Director General,
Post & Telegraph, New Delhi.
2. The Post Master General, Uttar Pradesh,
Circle Agra.
3. The Superintendent of Post Offices, Etawah
Division, Etawah.


. . . Respondents.

Counsel for the respondents: Kumari Sadhna Srivastava, Adv

Order (Open Court)

(By Hon'ble Mr. S. Dayal, Member (A.)

This application has been filed under section
19 of the Administrative Tribunals Act 1985 for
issuance of appropriate order (Setting aside
order dated 12.10.1992) and directing the



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respondents to regularise the suspension period of the applicant and to pay his salary for the period of his suspension. The applicant has also claimed for a direction to the respondents to drop the proceedings in respect of Rule 14 of C.C.S. and C.C.A. Rules 1965 against the applicant.

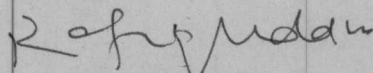
2. The applicant has alleged discriminatory treatment against him in as much as against another delinquent official on similar charges, The proceedings under rule 16 of C.C.S. and C.C.A. Rules 1965 were initiated and the delinquent official was later on punished with minor punishment of 'Censure'. In the case of the applicant the disciplinary proceedings under rule 14 C.C.S. and C.C.A. Rules were initiated. This has happened because of malice of Superintendent of Post Offices Etawah Division.


3. The learned counsel for the respondents has mentioned that no C.A. has been filed because notices have not been issued. We do not consider it necessary to issue notices in this case because the departmental proceedings against the applicant are still at inter locutory stage and the applicant was expected to submit his reply as well as defence to the respondents who were required to consider these in the disciplinary proceedings against him.

4. As regards the claim of the applicant for salary, the learned counsel for the respondents

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mentioned that suspension period can be regularised on completion of the disciplinary proceedings. As a matter of fact the reply of the Superintendent of Post Offices to the applicant has been filed as Annexure A-1 to the application and it mentions the situation which is as per rules. Hence we do not find that the applicant has been able to make out the case for intervention and dismiss this application at Admission Stage.


Member (J.)


Member (A)

Nafees