

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO. 1662/94

THURSDAY, THIS THE 24th DAY OF APRIL, 2003

HON. MR. JUSTICE R.R.K. TRIVEDI, VICE CHAIRMAN

Janki Prasad Singh,
s/o Late Sripal Singh,
r/o Village and post office
Kolhuuan,
Dist:- Jaunpur.

...Applicant.

By Advocate:- ShriGanga Prasad.

Versus

1. Union of India through Post Master
General U.P Lucknow.
2. Superintendent of Post Offices
Jaunpur, Division Jaunpur.
3. Director Postal Services,
Allahabad.
4. Director General Post,
New Delhi.

....Respondents.

By Advocate:- Shri A.Sthalekar.

O R D E R

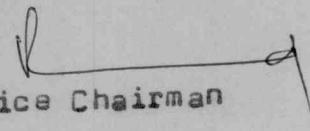
By this O.A filed under Section 19 of Administrative
Tribunals Act, 1985, applicant has challenged the order
dated 30-11-1992 (Annexure-4) by which applicant has been
punished on conclusion of the disciplinary proceedings.

The punishment awarded was stoppage of one increment
for one year without cumulative effect. Against the aforesaid
order the appeal was filed which was dismissed on 27-4-93

which has ^{also} ~~also~~ been challenged in this O.A. The allegation
against the applicant was late payment of twelve moneyorders

of the amount of 1200 Rs. each which were received on 11-5-1991 but payments were made after a month which was found contrary to rules. the disciplinary authority as well as appellate authority have recorded reasons in detail for not accepting the representation of the applicant. I do not find any illegality in the order calling for interference by this Tribunal.

2. Learned counsel for the applicant, however, submitted that the orders are vitiated having been passed in violation of the principles of natural justice as copy of the inquiry report was not served on the applicant. Reliance has been placed in the judgment of Hon'ble Supreme Court in case of Managing Director ECL, Hyderabad and others Versus B. Karunakar and others 1993 (4) SCC 727. However, in the present case the applicant was served with a memo of charge under Rule 16 of the CCA(CCS) Rules 1965. No Enquiry Officer was appointed and there was no question of serving the inquiry report on the applicant. The preliminary inquiry ~~was~~ done for ^{satisfaction of} ~~specification of~~ the Disciplinary authority as to whether action is necessary or not. Applicant ~~was~~ not ~~entitled~~ for copy of the preliminary report. In the circumstances, I do not find any merit in this O.A which is accordingly dismissed with no order as to costs.


Vice Chairman