

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 27th day of August, 2003.

Original Application No. 613 of 1995.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman.
Hon'ble Mr. D.R. Tiwari, Member-A.

Narendra Singh S/o Sri Dhoom Singh
R/o Vill. and Post Office- Mehmoodpur,
Tehsil- Gunnour, Distt. Budaun.

.....Applicant

Counsel for the applicant :- Sri M.K. Upadhyay
Sri B. Ram.

V E R S U S

1. The Union of India through the Secretary,
M/o Communication, Govt. of India, New Delhi.
2. Superintendent of Post Offices,
Badaun Mandal, Budaun.
3. Director, Postal Services,
Bareilly Region, Bareilly.
4. Post Master General, Bareilly Region,
Bareilly.

.....Respondents

Counsel for the respondents :- Sri S.C. Tripathi

O R D E R (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A filed under section 19 of Administrative Tribunals Act, 1985, the applicant has challenged the order of punishment dated 26.11.1993 by which applicant was awarded punishment from removal of service on conclusion of disciplinary proceedings.

2. The charge against the applicant was that he had shown the distribution of amount of money-orders to such

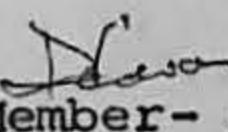
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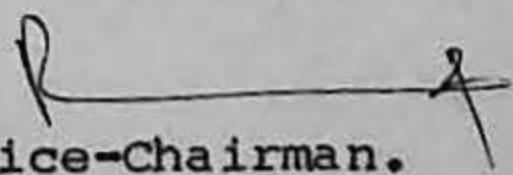
persons who had already died 2-1/2 years before and thus he mis-appropriated the amount. The order of the disciplinary authority was challenged in ~~Appeal~~ ^{Appeal} which was dismissed by order dated 01.08.1994 (Annexure -2). Thereafter applicant filed revision which was also dismissed on 24.04.1995 (Annexure- 3). All the authorities have examined the order of disciplinary authority in detail.

3. Sri M.K. Upadhyay, learned counsel for the applicant has ~~further~~ assailed the legality of the orders on the ground that the applicant had made request to summon the Secretary, Gram Panchayat to prove the death of the persons to whom the amount was distributed by ~~him~~ ^{Appellant}. The notice was issued to the official concerned. However, he did not appear and thereafter no effort was made to summon the Secretary, Gram Panchayat. However, we do not find force in the submission of counsel for the applicant. The Secretary, Gram Panchayat only maintains the Kutumb Register and copy of the Kutumb Register could be obtained by the applicant to establish the death of the persons concerned. The applicant never made effort to obtain the copy of Kutumb Register for which he was entitled under rules. He could have defended him-self by filing the said document.

4. In the facts and circumstances the non-examination of the Secretary, Gram Panchayat was inconsequential. The charge against the applicant was fully established and we do not find any good ground to interfere with the orders. The O.A has no merit and is accordingly dismissed.

5. There will be no order as to costs.


Member-A.


Vice-Chairman.

/Anand/