

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH  
ALLAHABAD

DATED : THIS THE 26TH DAY OF MARCH 1997

CORAM : Hon'ble Mr. S. Das Gupta AM  
Hon'ble Mr. T. L. Verma JM  
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ORIGINAL APPLICATION NO. 782/95

H. R. Prajapati s/o Ram Tahal Prajapati  
aged 40 years, Postal Assistant,  
Head Post Office, Allahabad Kutchery,  
Pin Code- 211 002- - - - - Applicant  
C/A Sri K. P. Srivastava

VERSUS

1. Union of India through Secretary,  
(Posts), Ministry of Communication,  
Government of India, New Delhi.
2. The Member (Personnel),  
Office of D. G. (Posts)  
Dak Bhawan, New Delhi.
3. Sr. Supdt. of Post Offices,  
Allahabad.- - - - - Respondents

C/R Sri S. C. Tripathi

ORDER (ORAL)

By Hon'ble Mr. S. Das Gupta AM

This O.A. has been filed under section  
19 of the Administrative Tribunals Act, 1985 challeng-  
ing the order dated 30.3.1990<sup>1994</sup> by which stoppage of  
increment was imposed upon the applicant. The applicant

⊗ corrected vide  
order dated 9.5.97  
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has prayed that the aforesaid order be quashed and the respondents be directed to promote the applicant to the Lower Selection Grade on completion of 16 years of service.

2. It appears from the averments that the applicant was served with a charge memo dated 14.12.92 and after considering his reply, the impugned order of penalty was issued. We have noted that in the C.A. in para 4, it has been mentioned that the applicant received list of documents prepared by Sub Post Master ~~Offices~~, Phulpur and entered on SO D/A/C dated 11.5.1991, but did not transfer the same under receipt to S.B. ledger Clerk of the same post office. It is also stated that list of documents consisted of two cheques meant for clearance from Allahabad Kutchery Head Office and during the enquiry it was established that the said SO DA/C was misplaced by the applicant to conceal the evidence and thus he violated Rule 50 of P & T Manual Vol.VI. We have also noticed that all these facts are not mentioned in the charge memo which merely indicates that the applicant did not submit certain documents. In our view, such imputation of misconduct is vague and on this ground alone application deserves to be allowed.

3. We accordingly quash the impugned order dated 30.3.94<sup>94</sup> but grant liberty to the respondents to proceed against the applicant, if they so desire, by serving charge memo indicating specific misconduct, which the applicant is stated to have committed, in accordance with law.

Member (J)

Member (A)

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Corrected vide  
order dated 9.5.97

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