

OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

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Allahabad : Dated this 28th day of October, 1999

Original Application No, 793 of 1999

District : Azamgarh

COURT :

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

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

Vidya Vilas Tripathi,  
S/O Late Sri Sridutt Tripathi,  
R/o Vill & Post Pichaura  
Distt-Azamgarh at present  
terminated EDBPM of Post Office  
Pichaura Distt-Azamgarh.  
(Sri R Tewari, Advocate)

.....Applicant

versus

1. Union of India  
Through Director General Post Office,  
New Delhi
2. Senior Superintendent of Post Offices,  
Azamgarh, Distt-Azamgarh.
3. The Branch Post Master,  
Post Office Pichaura,  
Distt-Azamgarh.

.....Respondents

ORDER (Oral)

By Hon'ble Mr. S. Dayal, A.M.

This OA has been filed for setting aside the order dated 10-10-1987 and 17-12-1998. The order dated 10-10-1987 appears to be a mistake. There is an order of the disciplinary authority dated 19-10-87 for the dismissal of the applicant after departmental proceeding at Annexure-A-1 to the OA. The applicant does not seem to have mentioned in the OA that he has filed an appeal also although after a direction was given to him, he has filed an appellate order with a MA dated 7-9-99, which is taken on record and the appellate order is dated

29-10-1988 dismissing the appeal. Learned counsel for the applicant mentions that a case was filed against the applicant which was registered as Crime No.10/1988 and the judgement in Crime Case No.31/1993 acquitted the applicant and the charges under Section 409 B.P.C. by the order dated 24-4-1998. The applicant seems to have made another representation after the order was passed by the Court of Senior Civil Judge Azamgarh. The representation was not forwarded to the Director General Post on the ground that the case had already been decided by the Chief Post Master General.

2. We find that the order of punishment was passed in 1987 and the Appellate order was passed in 1988 and the appellant chosen to come to the Tribunal in the year 1999 seeking relief. The departmental enquiry cannot be related to the judgement of the Senior Civil Judge in a criminal case.

3. We find that the application is totally barred by limitation and, therefore, we reject the same at the admission stage.

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Member (T)



Member (A)

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