

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

D. A. No. 1048 of 1999

Dated: This the 04th day of June, 2004

HON'BLE MR. JUSTICE S.R.SINGH, V.C.
HON'BLE MR. D.R.TIWARI, A.M.

Jawahar Lal Yadav, son of Late Sri Gajraj
Yadav, working as Postal Assistant, Mutthiganj,
Sub- Post Office, Allahabad, R/o 14/5/6-C,
Alopibagh, Allahabad.

....Applicant.

By Advocate: S/Shri C.P.Gupta, Anand Kumar

VERSUS

1. Union of India through the Director General
of Post Offices, Sanchar Mantralay, Dak Bhawan,
New Delhi.
2. Director of Postal Service, Allahabad Region,
Allahabad.
3. Sr. Superintendent of Post Offices,
Allahabad Division, Allahabad.

... Respondents.

By Advocate: Shri D. S. Shukla

O R D E R

By Hon'ble Mr. Justice S.R.Singh, V.C.

The applicant herein is aggrieved by order
dated 31.3.1999 passed by Disciplinary Authority and
order dated 07.8.1999 passed by Appellate Authority.

2. Facts leading to Disciplinary proceedings
against the applicant are identical to the facts of D.A.
No. 923 of 1999 (J.P.Singh Vs. Union of India and Others)
decided on 2nd April, 2002; and D.A.No. 922 of 1999,
Shiv Raj Singh Kushwaha Vs. Union of India and Others
decided on 2nd April, 2002. The points involved in the

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case are covered by the judgments aforesated. Mere fact that applicant was appointed on a different post will not alter the position of the case. In the fact situation of the case, the O.A. deserves to be decided in terms of the decision rendered in the aforesaid case.

3. Accordingly following decision of the Tribunal in the aforementioned cases, the present O.A. is allowed and the impugned punishment order dated 31.3.1999 of Disciplinary Authority and the Appellate order dated 07.08.1999 are quashed. The applicant is held entitled to all consequential benefits. Recovery made pursuant to the orders under challenge will be refunded within a period of 3 months from the date of communication of this order.

4. There will be no order as to costs.

A. H. Desai
Member-A

R. G. J.
Vice-Chairman

Brijesh/-