

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 26th day of July, 2004.

Original Application No. 1050 of 1999.

Hon'ble Mr. A.K. Bhatnagar, Member- J.
Hon'ble Mr. D.R. Tiwari, Member- A.

P.C. Nishad S/o Late M.L. Nishad
R/o 237, Daraganj, Allahabad.

.....Applicant

Counsel for the applicant :- Sri A. Rajendra

V E R S U S

1. Union of India through Secretary, D/o Posts,
Dak Bhawan, New Delhi.
2. Director, Postal Services, Allahabad office
of Post Master General, Allahabad Region, Alld.
3. Senior Superintendent of Post Offices,
Allahabad Division, Allahabad.

.....Respondents

Counsel for the respondents :- Sri D.S. Shukla

O R D E R

Hon'ble Mr. A.K. Bhatnagar, JM.

By this O.A filed under section 19 of Administrative Tribunals Act, 1985, the applicant has prayed for setting aside the orders dated 10.03.1999 and 26.08.1999 passed by the respondent Nos. 3 and 2 respectively. Learned counsel for the applicant has submitted that some matters arising-out from the same incident has already been decided by the Hon'ble High Court and this case is also squarely covered by the judgment delivered by the Tribunal in O.A No. 1048/99 dated 04.06.2004. Learned counsel for the respondents has strongly opposed the case of the applicant.

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2. We have gone through the judgment cited by the learned counsel for the applicant and find that same controversy has already been decided by the Tribunal. In the facts and circumstances this O.A also deserves to be decided in the terms and conditions rendered in O.A No.1048/99.

3. Accordingly the O.A is allowed. The impugned punishment orders dated 10.03.1999 and dt. 26.08.1999 is quashed. The applicant is held entitled to all consequential benefits. Recovery made from the applicant pursuant to the orders under challenge will be refunded within a period of three months from the date of communication of this order.

4. There will be no order as to costs.


Member-A.


Member J.

/Anand/