

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD.

Original Application No.495 of 2003.

Allahabad this the 08th day of May 2003.

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

Hari Om Singh
Son of Sri Amar Singh
Resident of Village Khedathakur
District: Bharatpur (Rajasthan)

.....Applicant.

(By Advocate : Sri A.S. Diwekar)

Versus.

1. Union of India
through Secretary
Ministry of Communication
Department of Post
New Delhi.
2. Senior Superintendent of Post Office
Agra.
3. Senior Post Master
Head Post Office
Agra.

.....Respondents.

(By Advocate : Sri N.C. Nishad)

O_R_D_E_R

By this O.A., filed under section 19 of
Administrative Tribunals Act 1985, the applicant has
challenged the order dated 10.12.1998, by which he
had not attended the duty in view of the criminal case
pending against him.

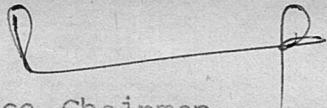
2. The facts of the case are that the applicant was serving as C.P. Chowkidar in Head Post Office, Agra-1. F.I.R was lodged in Police Station ^{for} committing ~~the~~ Dacoity in the night of 30/11/1998 in which more than 3 lakh ~~were~~ looted from the Post Office alongwith other valuable things. The case was registered as Case Crime No.648/98.



During the investigation, applicant was found involve in the case. He was served with the chargesheet and was tried in the Court of Special Judge (E.C. Act), Agra in SST No.23 of 1999. The applicant has been acquitted by order dated 24.05.2001. After being acquitted, applicant filed an application before Senior Superintendent of Post Office, Agra on 15.04.2002 for being taken back in service, a copy of the application has been filed as Annexure No.3. It is submitted by the applicant that no order has been passed on the application, moved by the applicant. Considering the facts and circumstances, ^{as the} applicant has been acquitted by the Criminal Court, ^{it is} obligatory ~~of~~ ^{to} the respondent No.1, to pass an order in accordance with law on the application filed by the applicant.

3. The O.A. is accordingly disposed of finally with the direction to the respondent No.2 to consider the application of the applicant and pass a reasoned order within a month from the date, a copy of the order is filed. To avoid delay, it shall open to the applicant to file a copy of the application alongwith copy of the order.

No order as to costs.


Vice-Chairman.

Manish/-