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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

ORIGINAL APPLICATION NO: 641 OF 1993

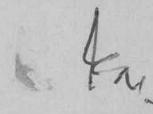
Date of decision: June 23, 1994

Narendra Kumar Behera ... Applicant  
Versus  
Union of India & Others ... Respondents

(FOR INSTRUCTIONS)

1. Whether it be referred to the reporters or not?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not?

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)  
23 JUN 94

  
(K. P. ACHARYA)  
VICE CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO: 641 OF 1993

Date of decision: June 23, 1994

Narendra Kumar Behera	...	Applicant
Versus		
Union of India and others	...	Respondents
For the applicant	...	M/s Deepak Misra, R.N. Naik, A. Deo, B.S. Tripathy, P. Panda, D.M. Sahu, Advocates.
For the Respondents	...	Mr. Ashok Misra, Senior Standing Counsel (Central).
....		

CORAM:-

THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN  
AND  
THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMN.)

....

JUDGMENT

K.P. ACHARYA, V.C. Shorn of unnecessary details, it would suffice to say that the petitioner <sup>had</sup> ~~held~~ guilty of one charge namely having acted as a messenger of one Kangali Ch. Sahoo who was depositor in S.B. Account No. 556576 and had received payment of certain amount to be delivered to said Kangali. Besides this charge, the petitioner has been found not guilty in respect of other charges.

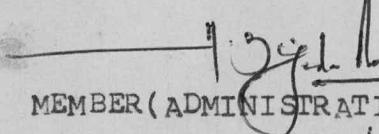
2. So far as the charge No. 11 is concerned, there is no question of misappropriation of any funds. The petitioner has also acted as a messenger which of course he should not have done. Therefore, since there is no case of offence misappropriation set up against the petitioner, we feel inclined to take a lenient view in the matter. Hence we do

hereby exonerate the petitioner from the charges.

The petitioner should be reinstated into service within fifteen days from the date of receipt of a copy of the judgment.

3. Thus, the original application is accordingly disposed of leaving the parties to bear their own costs.

4. This order is passed after hearing Mr. B.S.Tripathy learned counsel appearing for the petitioner and Mr. Ashok Mishra learned Senior Standing Counsel (Central).

  
MEMBER (ADMINISTRATIVE)  
23 Jun 94

  
23.6.94  
VICE-CHAIRMAN

Central Administrative Tribunal,  
Cuttack Bench/K.Mohanty/23.6.94.