

4
5
**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK**

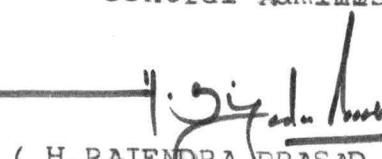
ORIGINAL APPLICATION NO: 694 OF 1993

Date of decision: January 21, 1994.

Dolagovinda Behera	...	...	Applicant
Versus			
Union of India & Others	...	...	Respondents

(FOR INSTRUCTIONS)

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


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

21 JAN 94


(K. P. ACHARYA)
VICE CHAIRMAN

Jan 21. 1. 94

5
6

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH :CUTTACK

Original Application No.694 of 1993

Date of decision:January 21,1994

Dolagovinda Behera	...	...	Applicant
		versus	
Union of India & Others	...	...	Respondents
For the Applicant	...	Mr.D.P.Dhalsamant,Advocate	
For the Respondents	...	Mr.U.B.Mohapatra,Addl. Standing Counsel(Central)	

...

C O R A M :-

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

...

O R D E R

K.P.ACHARYA,V.C. Mr.K.C.Hota,Superintendent of Post Offices,
Cuttack North Division is present with the relevant file.
We have heard Mr.Dhalsamant learned counsel for the
Petitioner and Mr.Uma Ballav Mohapatra learned Addl.
Standing Counsel(Central).Mr.Hota,Superintendent of
Post Offices,told us that the proceeding has not been
disposed of as yet because some of the enquiring
officers could not take it up due to short term posting
and more so the last enquiry officer went away to
Darbhanga for two months and for about four months he
had also availed medical leave.However,we do not like
to comment on this aspect but we are sorry that though
V.K.

6 2

chargesheet has been filed since 1990 and written statement of defence has been filed by the Petitioner, the enquiry has not yet started and thereby the directions of the Director General of Posts has been grossly violated. Since Mr. U.B.Mohapatra learned Addl. Standing Counsel(Central) prays for a last adjournment as suggested by Mr.Hota,Supdt. of Post Offices,we direct that the proceeding should be finally culminated at the level of the Disciplinary authority by 15th March,1994 failing which the Bench will consider quashing of the proceeding on the ground of undue delay. This stipulated period would be adhered to by the enquiry officer,disciplinary authority and the petitioner Shri Dolagovinda Behera provided that the petitioner Shri Behera cooperates for expeditious disposal of the proceeding. In case the petitioner takes any adjournment the period of such adjournment will be added ^{to} ~~to~~ the time granted as stated above. Mr.Hota should direct the enquiry officer to hold day to day trial and dispose of the matter at his level as expeditiously as possible giving atleast 45 days time to the disciplinary authority to deliver his orders after due compliance of law.

2. Send a copy of this order to the Director of Postal Services,Bhubaneswar,by Regd.Post with AD,with a request that he should issue appropriate directions to the Supdt. of Post Offices,Mr.Hota and to the enquiry officer to very strictly comply with the orders of this Bench.

3. Thus, the Original application accordingly
disposed of. No costs

T. S. Mohanty
Member (Administrative)

21 JAN 94

K. Mohanty
21-1-94
Vice-Chairman

Central Admn. Tribunal,
Cuttack Bench, K. Mohanty,
21th January, 1994.