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CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH

Original Application No. 194 of 1994

Cuttack this the 28th day of September, 1994

M.N. Sahoo

Applicant (s)

Versus

Union of India & Others

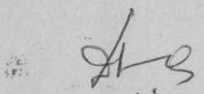
Respondent(s)

(FOR INSTRUCTIONS)

1. Whether it be referred to reporters or not ? /^{no}
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? /^{no}


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

28 SEP 94


(D. P. HIREMATH)
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL: CUTTACK BENCH

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C O R A M:

THE HONOURABLE MR. JUSTICE D. P. HIREMATH, VICE-CHAIRMAN

AND

THE HONOURABLE MR. H. RAJENDRA PRASAD, MEMBER (ADMIN)

Madhabananda Sahoo,
aged about 28 years,
S/o. Jayaram Sahoo,
At/PO: Alla,
Via/P.S. Dist: Jagatsinghpur

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Applicant/s

By the Advocate : M/s. Deepak Mishra
R. N. Naik,
A. Deo
B. S. Tripathy
P. Panda
D. K. Sahoo
P. K. Mishra

Versus

1. Union of India, represented by its Secretary,
Department of Posts, Ministry of Communication
Dak Bhawan, New Delhi
2. Chief Post-master General
Orissa Circle, Bhubaneswar,
Dist: Khurda
3. Superintendent of Post Offices,
Cuttack South Division, Cuttack
4. Sub-Divisional Inspector (Postal),
Central Sub-Division,
Nuabazar, Cuttack-4

Respondent/s

By the Advocate: Mr. Ashok Mishra,
Sr. Standing Counsel (Central)

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O R D E R

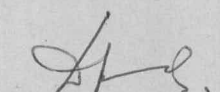
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D. P. HIREMATH, V.C.: Heard Mr. B. S. Tripathy, learned counsel for the applicant and Mr. Ashok Mishra, learned Sr. Standing Counsel (Central) for respondents. The impugned order is untenable for the simple reason that the petitioner

was not given any opportunity to explain the allegations made against him ^{and} ~~to hold~~ that he was not entitled to continue any longer in the office of Extra Departmental Branch Post-master, Alla Branch Office by virtue of the order of appointment dated 24.12.92. Though the Superintendent of Post Offices, who passed the impugned order stated in support of the order that the petitioner did not hold landed property independently and that he did not belong to post village, but a hamlet village under Alla post village, it was only obligatory on his part to call for the explanation of the petitioner and to give him opportunity to meet the allegations made against him. As the order of impugned is in utter violation ^{of} ~~in~~ principles of natural justice, the same ^{cannot} ~~could~~ not be sustained and it is quashed allowing the application. No order as to costs.


(H. REJANDERA PRASAD)
MEMBER (ADMINISTRATIVE)

28 SEP 94


(D. P. HIREMATH)
VICE-CHAIRMAN

B.K.Sahoo//