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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK**

**ORIGINAL APPLICATION NO.927 OF 1996**

**Cuttack, this the 10<sup>th</sup> day of April 2003**

**Narayan Sethi .....**

**Applicant**

**Vrs.**

**Union of India & Others .....**

**Respondents.**

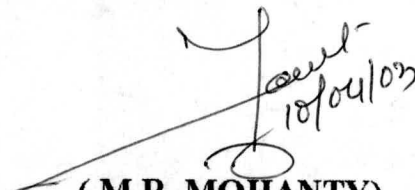
**FOR INSTRUCTIONS**

1. **Whether it be referred to the Reporters or not ?**

Yes

2. **Whether it be circulated to all the Benches of the Central  
Administrative Tribunal or not ?**

No

  
( M.R. MOHANTY )  
MEMBER (JUDICIAL)

  
(B.N. SOM)  
VICE-CHAIRMAN

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(5)

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**ORIGINAL APPLICATION NO.927 OF 1996**

**Cuttack, this the 10<sup>th</sup> day of April, 2003**

**CORAM:**

**HON'BLE SHRI B.N. SOM, VICE-CHAIRMAN**

**&**

**HON'BLE SHRI M.R. MOHANTY, MEMBER JUDICIAL)**

Narayan Sethi, At/Po- Narendrapur, Dist-Bhadra

.....Applicant

By the Advocate(s) ..... **Mr. D.P. Dhalsamant**

**Vrs.**

1. Union of India, represented through the Chief Postmaster General, Orissa Circle, Bhubaneswar-1.
  2. Directro of Postal Services, Office of the CPMG, Orissa Circle, Bhubaneswar-1.
  3. Superintendent of Post Offices, Bhadrak Division, Bhadrak.
- ..... Respondent(s)

By the Advocate(s) - **Mr. U.B. Mohapatra**

**O R D E R**

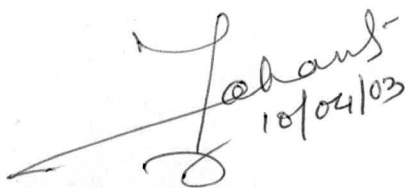
**SHRI B.N. SOM, VICE-CHAIRMAN:**


Shri Narayan Sethi, has filed this Original Application seeking intervention of the Tribunal for quashing the order of the disciplinary authority at Annexure-3 and the order of the appellate authority at Annexure-4 and to pass orders for treating the period during which the applicant was under " Put off duty" as duty for all purposes.

2. The admitted facts of the matter is that the applicant was put off duty w.e.f. 02.09.1992 for alleged misappropriation of amounts from three S.B. Accounts standing at Narendrapur Branch Post Office when he was the Branch

Post Master of this Post Office. He was proceeded against under Rule 8 of EDAs (Conduct and Saving) Rules, 1964. The Enquiry Officer who was appointed to enquire into the matter duly submitted his report, a copy of which was given to the applicant for submission of his representation. After receipt of his representation, the disciplinary authority passed an order removing him from service with immediate effect (Annexure-3). The applicant preferred an appeal to the appellate authority which was duly considered but rejected on 15.09.1995 (Annexure-4).

3. We have heard the Ld. Counsels for both the sides and have also perused the records placed before us. From the facts of the case and the records placed before us it is clear that the official was given reasonable opportunity to defend his case and the disciplinary authority as well as the appellate authority passed reasoned orders removing the applicant from service following the prescribed procedure. In the said premises there is no merit in this O.A. and accordingly the same is rejected. No costs.

  
( M.R. MOILANTY )  
MEMBER (JUDICIAL)

  
( B.N. SOM )  
VICE-CHAIRMAN