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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH, JODHPUR

Date of order : 10.5.95

O.A.No.167/95

LAKHA RAM ... Applicant  
Vs.

UNION OF INDIA AND ORS. ... Respondents

Mr.J.K.Kaushik, Counsel for the applicant.

CORAM :

THE HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN  
THE HON'BLE MS.USHA SEN, ADMINISTRATIVE MEMBER

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HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

  
Applicant Lakha Ram has filed this application under section 19 of the Administrative Tribunals Act, 1985, praying therein that the impugned order dated 3.2.94 (Annex.A.1) by which he was put off duty as also the order dated 16.2.94 (Annex.A.2) by which the same order was confirmed may be quashed and the applicant be allowed all consequential benefits.

2. We have heard the learned counsel for the applicant and have carefully perused the records.

3. The facts of the case are that the applicant was appointed as Extra Departmental Branch Post Master on 15.2.74. He claims that he has been discharging his duties satisfactorily but he was put off duty by the

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Sub Divisional Inspector, Chhatan by an order dated 3.2.94 for the reason that a disciplinary proceeding is contemplated ~~is~~ pending. The order of putting him off duty has been confirmed by the competent authority vide letter dated 16.2.94. The impugned orders are challenged as being arbitrary and contrary to the specific instructions issued by the DGP&T and as such they are liable to be quashed as being a violation of the provisions contained in Articles 14 and 16 of the Constitution. The learned counsel for the applicant has stated that an appeal against the order putting him off duty has already been filed by the applicant and the same is pending consideration.

4. In view of this position we dispose of this OA with a direction to the Respondent No.3 to dispose of the appeal made to it by the applicant through a speaking order on merits meeting all the points raised therein within a period of three months from the date of receipt of a copy of this order. If the applicant is aggrieved by any decision taken on his appeal he may file a fresh OA if so advised. Let copy of this order alongwith a copy of the OA be sent to the Respondent No.3 within a week.

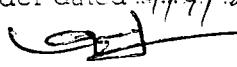
*Usha Sen*  
( USHA SEN )  
Adm. Member

*Gopal Krishna*  
( GOPAL KRISHNA )  
Vice Chairman

~~Copy of order along with  
Sent OA Pages 1 to 22  
Read as valid No 3  
At 16/10/2001~~

~~RP/Copy  
on 16/10/2001  
Bijoya~~

Part II and III destroyed  
in my presence on 26/11/2001  
under the supervision of  
section officer ( ) as per  
order dated 4/9/2002.

  
Section officer (Record)