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**CENTRAL ADMINISTRATIVE TRIBUNAL,
JODHPUR BENCH, JODHPUR.**

Original Application. No. 271/2007

Date of order: 4th March, 2008

Hon'ble Mr. Justice A.K. Yog, Judicial Member.

Hon'ble Mr. R.R. Bhandari, Administrative Member.

Mahendra Kumar Bhatnagar, S/o Shri Pana Lal Ji, Bhatnagar, aged 50 years, resident of Basni Mutha Road, Sojat City District Pali, Official Address: BPM Bilawas, Teshil, Sojat City, Pali District.

: Applicant.

by Advocate Mr. R.S. Saluja

VERSUS

1. Union of India through the Secretary Ministry of Communication, Department of Posts, Dak Bhawan, Parliament Street, New Delhi.
2. The Post Master General, Rajasthan Western Region, Jodhpur.
3. Superintendent of Post Office, Western Region, Pali.

: Respondents.

None present for respondents.

ORDER

By Mr. Justice A.K. Yog, Member (J)

Heard Mr. R.S. Saluja, learned counsel for the applicant at considerable length. Notices were issued to the respondents and Sh I.S. Pareek entered appearance on behalf of the respondents on 21.11.2007. It is noticed that no counter reply has been filed in this case in spite of order dated 21.11.2007.

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2. The learned counsel for the applicant contended that the present charge sheet dated 10.09.2007 is the verbatim reproduction of earlier charge sheet dated 20.04.2005 which was set aside by the Appellate Authority, and, therefore, the respondents may be restrained from proceeding further with the inquiry.

3. We heard the learned counsel at considerable length on the above plea and also others touching merit of the 'charges' but failed to agree.

4. Learned counsel in the end submitted that we may not make observation, while dismissing the O.A, as it shall prejudice the 'pending enquiry' initiated by the department in pursuance to the Appellate Order dated 31.08.2007 passed by the Director of Postal Services, Rajasthan Western Region, Jodhpur (annex. A/8 to the O.A); and in that view of the matter as advised at this stage he sought permission to withdraw the O.A and join the disciplinary enquiry to defend himself – against the charges leveled against him.

5. Consequently, the O.A is dismissed as withdrawn in view of the prayer made above with the observation that an endeavour be made to ensure that 'disciplinary-enquiry' – initiated after Appellate Order dated 31.08.2007 (Annex. A/8 to the O.A)- 'charge sheet' served upon him vide letter dated 10.09.2007 (Annex. A.1) is concluded expeditiously.

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6. Registry is directed to send ^{—3—} certified copy of this order to the respondents.

7. No order as to costs.

R.R.Bhandari

(R.R. Bhandari)
Administrative Member

A.K.Yog

(A.K. Yog)
Judicial Member.

Isv.

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No 36
Dt 25.4.14

Part II and III destroyed
in my presence on *01/12/14*
under the supervision of
section officer () as per
order dated *18/2/14*

Section officer (Record)