

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

Original Application No.239/2008
With
Misc. Application No.133/2008

Date of decision:02.09.2011

**Hon'ble Dr. K.B. Suresh, Judicial Member,
Hon'ble Mr. Sudhir Kumar, Administrative Member.**

Poonam Chand Patel S/o Shri Kishan Ji Patel, aged about 47 years,
R/o Shergad, Banswara Rajasthan, Official Address: Serve as
Branch Post GDS Shergad, prior to ordered dismissal.

: Applicant.

Mr. Kamal Dave, counsel for applicant.

Versus

1. Union of India through the Secretary, Ministry of Communication, Department of Post, New Delhi.
2. The Post Master General, Southern Region, Rajasthan, Ajmer.
3. The Director Postal Services (Southern Region), Office of Post Master General Rajasthan, Ajmer.
4. Superintendent Post Office, Dungarpur Division, Dungarpur. .

: Respondents.

**Mr. M.S. Godara & Mr. Ankum Mathur, proxy counsel for
Mr. Vinit Mathur, counsel for respondents.**

ORDER (ORAL)

Per Dr. K.B. Suresh, Judicial Member

Heard both the learned counsels. The basic thrust of the applicant seem to be that he being a low paid employee, a more pragmatic approach ought to have been taken by the respondents since there is no proved allegation that even though money has been kept by him, it was ~~misappropriated, and his actions were~~ apparently without personal gain. While

(7/17)

Re. ^{regarding} participating in the Panchayat Election without due permission from the department, he would say that since he was not aware that he needs to have permission for it, it cannot be said that culpability can be ascribed. There are other charges also, wherein applicant was said to be in Jail for allegedly participating in a Communal Riot. He would say that by a cumulative process, the other charges had left an uncalled for presence in analyzing the 1st charge. The charge of keeping the money unauthorizedly ~~is~~, Re. according to him, ^{has been} ~~seen~~ in a much ~~canvassed by the~~ larger Re. canvass than it deserved.

2. We have gone through the pleadings and found that proper opportunity has been allowed to the applicant, and the charges have been proved thereafter. The nature of the charges and the impunity in which the alleged offences were committed ~~have~~ Re. persuaded us to take a view in line with that of the concerned authority. Having satisfied ourselves that proper opportunity was given to the applicant, and charges were properly proved, and punishment does not seem to be erroneously imposed for the charges leveled against the applicant, and, therefore, we are not inclined to interfere in it. Therefore, the O.A. is dismissed. No order as to costs.


[Sudhir Kumar]
Administrative Member


[Dr. K.B. Suresh]
Judicial Member