

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH; JODHPUR**

ORIGINAL APPLICATION NO. 90/2010

Date of Order: 25.03.2011

CORAM:

HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER

Prakash Chandra Bothra S/o Shri Chintamani Dass, aged about 58 years, b/c Oswal, R/o 208, Dhani Bazar, District Barmer.

Office Address: HO Churu (Postal Dept.) Dist. Churu, employed on the post of SPM.

...Applicant.

Mr. S.P. Singh, counsel for applicant.

VERSUS

1. Union of India through the Secretary, Government of India, Ministry of Communication, Department of Post, Dak Tar Bhawan, New Delhi.
2. The Director, Post Master General, Western Region, Jodhpur - 342001.
3. Superintendent of Post Offices, Barmer Division, Barmer - 344001.

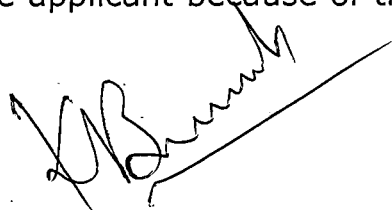
... Respondents.

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

ORDER

(Per Dr. K.B. Suresh, Judicial Member)

Heard learned counsels for both the parties. The matter was heard in detail and after discussing the same at the bar, I feel that out of three charges, the first charge of withholding of interest payable to 26 MIS account holders may be justified on the part of the applicant because of the fact of specific nature of

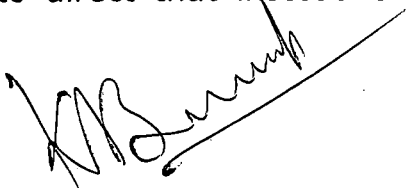


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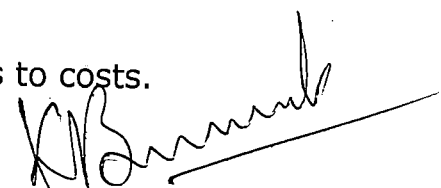
Annexure A/2. As per Annexure A/2, letter dated 22.12.2006; acceptance of witness for identification of a depositor is subject to the satisfaction of post office. The applicant is the person responsible for exercise by satisfaction; therefore, the action taken against him in this regard does not seem to be correct and proper. I had discussed these matters with the learned counsel for respondents who graciously agreed that full responsibility belongs to the applicant.

2. But with regard to other two charges levelled against the applicant relating to other two matters; (i) payment of KVP of Rs. 5,000/- of Smt. Pinki Dhileria W/o Shri Bharat Kumar, and (ii) payment to Shri Dwarka Dass, GDS and Mitha Lal, GDS. The payment, apparently, may nor may not make much to the officers but it is held that the small amount need not have been denied to the poor GDS, and, therefore, I consider that the punishment imposed upon the applicant may, on these two matters, correct and proper but the concerned authorities is directed to re-consider this matter cumulatively for the reason stated in the first paragraph.

3. In view of the above observations & discussions, I feel it just and proper to direct that instead of two years' increment



without cumulative effect as ordered to be withheld vide order dated 30.01.2009 / 05.02.2009 (Annex. A/1), by cutting it to 1/3, may be converted into 16 months' increment without cumulative effect to be withheld. Appropriate orders, shall therefore be passed by the respondents in consonance with the above directions. The Original Application is, thus, allowed to the limited extent as stated above. No order as to costs.


(DR. K.B. SURESH)
JUDICIAL MEMBER

kumawat

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केन्द्रीय
जोधपुर न्यायमंडल, जोधपुर