

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR**

E-13

Original Application No. 140/2010

Date of decision: 11.07.2011

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

Bhera Ram S/o Shri Jamuna Ram, aged about 52 years, by caste Bhil (ST), R/o Bhil Basti, Opp. Police Station, Pokharan, District Pokharan. Office Address:- Fatehgarh Post Office, employed on the post of SPM.

: Applicant.

Rep. By Mr. S.P. Singh, Counsel for the 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 Chief Post Master General, Rajasthan Circle, Jaipur.
3. The Director of Postal Services, O/o the PMG (W) Region, Jodhpur.
4. Senior Superintendent of Post Offices, Jodhpur Division, Jodhpur.

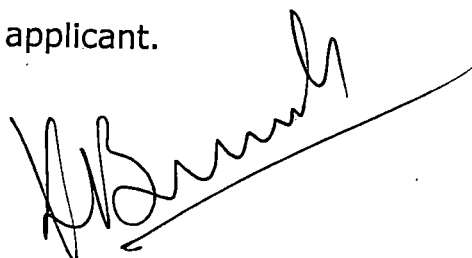
: Respondents.

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

ORDER (ORAL)

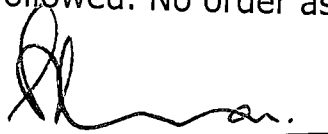
Per Dr. K.B. Suresh, Judicial Member.

We have heard both the counsels and examined the pleadings. A similar matter concerning the instant applicant had come before us in O.A. No.137/2010 in which an order has been passed on 22nd November 2010 and we found categorically that in Para 4(a) of that order that the applicant cannot be held responsible for non functioning of the computers, even if there be direct control of the applicant.

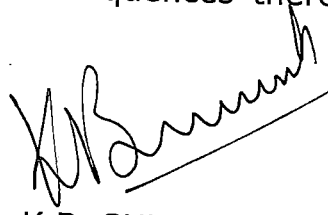


P-14

2. The System Managers, who are engaged to look ^{after} ~~out~~ the he computer functioning have made their best efforts to remove defects but failed. The applicant's work is only of administrative nature and he has not been trained to rectify the hardware of the system. That also is clear from the Annexure-A/11 order dated 23.12.2010, therefore, nothing remains in the matter to be resolved. The impugned orders are declared illegal and are hereby quashed. The O.A. is allowed and all the consequences thereof shall be followed. No order as to costs.



[Sudhir Kumar]
Administrative Member



[DR. K.B. SURESH]
Judicial Member