

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No.O.A./1194/1997

Present : Hon'ble Mr. D.Purkayastha, Judicial Member

Hon'ble Mr. G.S.Maingi, Administrative Member

Tarapada Bhowmick, residing at Village Kishorepur, P.O. Kishorepur, Via Baradengal, District Hooghly, worked as EDDA at Kishorepur P.O. under Arambagh Sub-Divisional P.O. at Kishorepur.

... Applicant

-Versus-

1. Union of India service upon the Secretary, Ministry of Communication, Dak Bhawan, Govt. of India, New Delhi.
2. Superintendent of Post Offices, North, Hooghly Division, Chinsurah - 712 101, Hooghly.
3. Sub-Divisional Inspector (Postal), Arambagh Sub-Division, Arambagh, Hooghly.

... Respondents

For the applicant(s) : Mr. T.N.Pal, counsel

For the respondents : Mr. S.K. Dutta, counsel

Heard on : 13.6.2000

Order on: 13.6.2000

ORDER

D.Purkayastha, J.M. :-

✓ Applicant Shri Tarapada Bhowmick working as EDDA at Kishorepur Post Office under Arambagh Sub-Divisional Post Office has challenged the impugned order of punishment imposed upon him on 1.5.97(Annexure 'K' to the application)after conclusion of the Departmental Proceedings initiated against him. According to the applicant the impugned order of punishment is illegal, arbitrary and violative of the principles of natural justice.

2. Mr. S.K. Dutta, 1d.counsel appearing on behalf of the respondents contended that the applicant did not give reply to the charge-sheet initiated against him after due enquiry and he has admitted the allegation brought against him in the charge-sheet. S

applicant cannot deny the charge now by filing this application before the Tribunal. Mr. Dutta also submits that the order of punishment has been passed by the respondents in accordance with the law after giving proper opportunity of personal hearing to the applicant. Therefore, application is devoid of merit and liable to be dismissed. Apart from this, Mr. Dutta also submits that the application is not maintainable on the ground of plurality of reliefs sought for in the application.

3. Mr. T.N. Pal, 1d. counsel appearing on behalf of the applicant failed to show any evidence in respect of filing reply to the charge-sheet initiated against the applicant. However, he contended that since the applicant did not file any reply to the charge-sheet; therefore, it cannot be presumed that the applicant has admitted the allegation brought against him.

4. We have carefully considered the submissions made by 1d. counsels of both the parties and we find that since the applicant did not challenge the chargesheet by filing any reply; therefore, there is no illegality in the matter of imposing punishment upon the applicant vide order dated 1.5.1997 (Annexure 'K' to the application). We do not find any procedural irregularity and illegality in this case. In view of the aforesaid circumstances, we are of the considered view that the instant application is devoid of merit and liable to be dismissed. Accordingly, we dismiss this application.

*G.S. Maini*  
13.6.2002

G.S. MAINI  
MEMBER (A)

*D.P. Purkayastha*  
13/6/2002  
D.PURKAYASTHA  
MEMBER (J)