

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

O. A. No. 467/86

A. Saidalavi

Applicant

Vs.

1. The Union of India represented
by the Secretary, Ministry of
Communications & Broadcasting,
New Delhi.

X
X

Respondents

2. The Superintendent of Post Offices,
Tirur Division, Tirur 676 104

X

3. The Superintendent of Post Offices,
Malappuram Division, Manjeri

X

M/s. M. K. Damodaran
N. K. Mohanan
Jonny Sebastian

Counsel for the
applicant

Mr. K. Narayana Kurup, ACGSC

Counsel for the
respondents

CORAM:

Hon'ble Shri C. Venkataraman,
Administrative Member

&

Hon'ble Shri G. Sreedharan Nair,
Judicial Member

(Order pronounced by Hon'ble Shri G. Sreedharan Nair,
Judicial Member on 16th July, 1987)

O R D E R

The applicant in this case was dismissed from service in exercise of the powers under Clause (i) of Rule 19 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, by the order dated 13.5.1986. The said order was passed on the basis of conviction of the applicant by the Special Judge, Ernakulam in a criminal case No. 9/84. The applicant had pointed out that he has filed Criminal Appeal No. 301/85 against the Judgement of the Special Judge before the High Court of Kerala and that the High Court has suspended the conviction and sentence. Despite that


the order was passed, holding that if the conviction is vacated, the action can be reviewed.

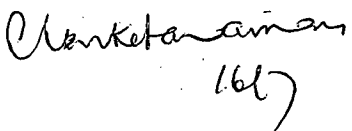
2. The applicant has produced the copy of the Judgement of the ^High Court of Kerala in Criminal Appeal No. 301/85 dated 30.3.1985 under which the appeal was ~~held~~ ^{allowed} and the conviction and sentence passed against the applicant have been set aside. In view of the above, ^{the} action taken against the applicant has necessarily to be reviewed. Counsel of the respondents submitted that the second respondent will review the matter in the light of the Judgement of the High Court. We hereby direct the second respondent to do so as expeditiously as possible and at any rate, within ^a ~~the~~ period of one month from the date of receipt of a copy of this order. In case the order dated 13.5.1986 is vacated on review, it is needless to state that the applicant shall be entitled to the consequential benefits.

3. In view of the above direction, the reliefs as prayed for in the application do not arise at this stage.

4. We allow the application as above.

5. The Registry ^{will} ~~may~~ issue copies of this order on priority basis.


(G. Sreedharan Nair)
Judicial Member
16.7.87


(C. Venkataraman)
Administrative Member
16.7.87

Index: ~~Yes~~/No