

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 523 OF 2010

Tuesday, this the 6th day of July, 2010

CORAM:

**HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

**K.T.Joseph
Gramin Dak Sevak Mail Deliverer
Thettamala Branch Post Office
Vellamunda
Residing at Koorana, Thettamala
CVellamunda**

Applicant

(By Advocate Ms.R.Jagada Bai)

versus

1. Union of India represented by the Secretary
Department of Posts
New Delhi
2. The Postmaster General
Northern Region
Kerala Circle
Kozhikode
3. Superintendent of Post Offices
Thalassery Division
Thalassery
4. Inspector of Post Offices
Manathavady Sub Division
Manathavady

Respondents

(By Advocate Mr. George Joseph, ACGSC)

The application having been heard on 06.07.2010, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE K.THANKAPPAN, JUDICIAL MEMBER

The applicant has filed this OA challenging Annexure A-1 put off duty order dated 01.12.2009 and to quash the same and reinstate the applicant in service. We have considered the matter when it came before the Tribunal on 17.06.2010. We have directed Mr.George Joseph, ACGSC to get instructions in the matter. However, there was no response.



2. We have heard Ms.R.Jagada Bai, Counsel for the applicant and perused the documents produced before this Tribunal. A reading of Annexure A-1 would show that the applicant was ordered to be on put off duty with effect from the date of put off, viz 01.12.2009. The case of the applicant regarding the put off duty order, continuing indefinitely is the question to be considered by the authorities because there are decisions that put off duty cannot be done casually, it has got draconian consequences than the penalty itself. If so, it is the duty of the respondents to consider the plight of the applicant which he now faces. In the above circumstances, even without getting any reply statement or instructions from the Department, we are of the view that the OA itself can be disposed of by directing the applicant to file a representation for finalising the put off duty or to stop it by the authorities within a reasonable time. For the above purpose, the applicant is directed to submit a representation within fifteen days from today. If such a representation is received by the authorities, who are competent to take action in the matter, shall decide the matter within fifteen days thereafter and finalise the put off duty and other consequential action in the matter.

3. With the above direction, OA stands disposed of. Counsel for applicant is directed to produce a copy of the OA alongwith all documents and copy of the order to the respondents for compliance. Ordered accordingly. There shall be no order as to costs.

Dated, the 6th July, 2010.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


JUSTICE K.THANKAPPAN
JUDICIAL MEMBER