

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 21 of 2000

Wednesday, this the 3rd day of April, 2002

CORAM

HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER  
HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER

1. K. Vijayamohanan Nair,  
S/o Kuttan Pillai,  
Ex-L.S.G.S.A, R.M.S. TV. Division,  
Kollam, residing at R.K. Bhavan,  
Koonthalloor, Chirayinkil PO,  
Pin - 695 304

....Applicant

[By Advocate Mr. T.C. Govindaswamy]

Versus

1. Union of India represented by  
Secretary to Government of India,  
Ministry of Communications,  
Department of Posts, New Delhi.  
2. Chief Post Master General,  
Kerala Circle, Trivandrum.  
3. Director of Postal Services (SR);  
Trivandrum.  
4. Senior Superintendent,  
RMS 'TV' Division, Trivandrum.

....Respondents

[By Advocate Ms. Rajeswari. A, ACGSC]

The application having been heard on 3-4-2002, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Aggrieved by A1 order dated 13-2-1997 imposing the  
penalty of dismissal from service on the applicant and A2 order  
dated 29-12-1998 rejecting his appeal, the applicant has filed  
this Original Application seeking the following reliefs:-

"(a) Call for the records leading to the issue of  
Annexure A1 and A2 and quash the same.



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(b) Direct the respondents to reinstate the applicant in service with consequential benefits as if Annexure A1 and A2 are not issued.

(c) Pass such other orders or directions as deemed fit, necessary and just on the facts and in the circumstances of the case."

2. The applicant has raised a number of grounds. Respondents filed reply statement resisting the claim of the applicant and the applicant filed rejoinder reiterating the points made in the Original Application.

3. When the Original Application came up for hearing today, learned counsel for the applicant submitted that the applicant would be satisfied if he is given the liberty to file a revision petition to the 2nd respondent ~~and~~ <sup>file</sup> which may be directed to be disposed of within a reasonable time in accordance with law. Learned counsel for the respondents submitted that there is no objection in adopting such a course of action.

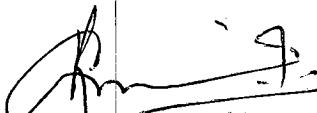
4. In the light of the above submissions by the counsel for the parties, the Original Application is disposed of permitting the applicant to file a revision petition to the 2nd respondent within one month from today and directing the 2nd respondent to dispose of the revision petition, if so received, within a period of three months thereafter. No costs.

Wednesday, this the 3rd day of April, 2002



K.V. SACHIDANANDAN  
JUDICIAL MEMBER

ak.



G. RAMAKRISHNAN  
ADMINISTRATIVE MEMBER

APPENDIX

Applicant's Annexures:

1. A-1: A true copy of the Order of Penalty of removal from service under Memo No.SSRM/CON/1/94/Disc-1 dated, at TVM.3, the 13.2.97 issued by the 4th respondent.
2. A-2: A true copy of the Appellate Order bearing No.ST/B.36/98 dated 29.12.1998 issued by the 3rd respondent.
3. A-3: A true copy of the charge Memo bearing No.SSRM/CON/1/94/Disc-1 dated, at TVM-3 26.4.95 issued by the 4th respondent.
4. A-4: A true copy of the representation with enclosure dated 15.5.95 submitted by the applicant to the 4th respondent.
5. A-5: A true copy of the representation dated 11.12.95 submitted by the applicant to Mr.R.Raveendran Pillai, Enquiry Officer, Asst.Supt. of Post Offices C.P.M.E.'s Office, Trivandrum.
6. A-6: A true copy of the representation dated, nil submitted by the applicant to the Inquiry Officer, O/o C.P.M.E's Office, Trivandrum.
7. A-7: A true copy of an Appeal dated, 4.11.98 before the Director of Postal Services.

Respondents' Annexures:

1. R-4(a): True copy of the memo No.B.38(a) dated 23.10.75 alongwith previous orders issued by the 4th respondent.
2. R-4(b): True copy of the order No.B-55 dated 26.9.94 alongwith the order dated 5.12.94 by the 4th respondent.

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