

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 239 of 1995

Thursday, this the 27th day of June, 1996

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. M. Ramakrishnan,
S/o Chathukutty,
Malayathodi, Adivaram PO,
Puthuppadi (Via), Kozhikkode.
(Extra Departmental Delivery Agent
[put off], Adivaram) ... Applicant

By Advocate Mr. MR Rajendran Nair (represented)

Versus

1. The Senior Superintendent of Post Offices,
Calicut Division, Calicut.
2. The Assistant Superintendent of
Post Offices, Calicut South Sub Division,
Calicut.
3. Union of India, represented by
Secretary to Government,
Ministry of Communications,
Secretariat, New Delhi. ... Respondents

By Advocate Mr. PR Ramachandra Menon, ACGSC (represented)

The application having been heard on 27th June, 1996,
the Tribunal on the same day delivered the following:

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant, formerly Extra Departmental Delivery Agent,
Adivaram, was charged with acts of misconduct in that he failed
to deliver two registered letters to KC Hussain; that he failed to
deliver two unregistered letters to J Mangalath and PK Ummar, in
that order. The authorities below considered the evidence on
record and concluded that the charges were established.

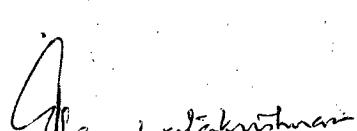
2. We are not going into the details, as we notice that
applicant had made admissions which are fatal to his contentions.

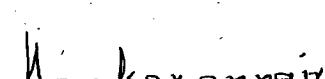
Applicant had submitted that he used to keep the letters in the shop of one Siddique and that they found their way to a garbage dump near one Lucky Hotel Adivaram. He was not expected to keep the letters in Siddique's shop, and independent of his lack of knowledge of its transit from the shop to the garbage dump, charge of not delivering the letters is made out. An admission of guilt by itself, would be sufficient to find the charge (See Additional District Magistrate (City), Agra Vs. Prabhakar Chaturvedi & Anr., 1996 (2) SCC 12). We are of opinion that the authorities below acted on acceptable material in coming to the conclusion, it came to.

3. Learned counsel for applicant submits that the punishment is harsh, at any rate. If the authorities on facts felt that failure to deliver letters on the part of a Delivery Agent merited the punishment of removal from service, we do not find our way to hold that the punishment is shocking to judicial conscience.

4. We dismiss the application. Parties will suffer their costs.

Dated the 27th June, 1996


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

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