

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

.....  
O.A. No. 248 of 1994

Thursday, the 25th day of August, 1994.

CORAM:

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN  
HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

V. Saraswathy,  
Thunduparambil House,  
Vellanathuruthu,  
Cheriyazheekal P.O.,  
Via. Alumkadevu.

.. Applicant

(By Advocate Shri O.V. Radhakrishnan)

Vs.

1. Superintendent of Post Offices,  
Alapuzha Division, Alapuzha.
2. Director of Postal Services,  
Central Region, Kochi-11.
3. Postmaster General,  
Central Region, Kochi.
4. P.N.R. Kurup, Enquiry Officer and  
Assistant Superintendent of Post Offices,  
Alleppey Division, Alleppey.
5. Union of India, represented by its  
Secretary, Ministry of Communications,  
New Delhi.

.. Respondents.

(By Advocate Shri T.P.M. Ibrahim Khan, ACGSC)

O R D E R

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN

Applicant, an Extra Departmental Sub-Postmaster,  
was charged under three heads. Articles 1 and 2 relate to  
the making of entries in pass books evidencing receipt of

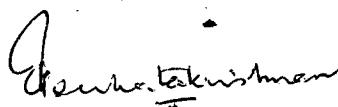
money, without making corresponding entries in the Cash register. Charge 3 relates to mis-appropriation of money.

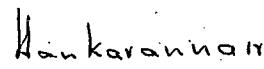
2. The authorities below found the charges. Defence of applicant with reference to charges 1 and 2 was that the pass book was kept with a Mahila Pradhan, Shoba, and that she has made false entries in the pass book and affixed the Post Office seal. The disciplinary authority believed the evidence of Shoba CW 4, and rejected the evidence of applicant. He felt that it was an affront to intelligence to believe that the seal in the Post Office, in the custody of applicant could have been used at random by CW 4. To cut a long story short, the disciplinary and appellate authorities found the charge.

3. After the matter was argued at considerable length, learned counsel for applicant sought permission to withdraw the petition and resort to the remedy available under Rule 16 of the Extra Departmental Agents Conduct and Service Rules, 1964. Though not without hesitation, we grant leave and dismiss the application as withdrawn, with freedom to applicant to move the competent authority under Rule 16.

4. Application is dismissed as withdrawn with the aforesaid directions.

Thursday, the 25th day of August, 1994.

  
PV. VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR(J)  
VICE CHAIRMAN