

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. NO. 343 OF 2011

Tuesday, this the 24th day of July, 2012

CORAM:

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER

K.Sasidharan
Superintendent (Retd)
Postal Stores Depot, Thiruvananthapuram
Residing at MGRA-79
TDK Road, Pattom
Thiruvananthapuram – 695 004

... Applicant

(By Advocate Mr.Vishnu S Chempazhanthiyil)

versus

1. The Chief Postmaster General
Kerala Circle
Thiruvananthapuram – 695 033
2. Union of India represented by the
Director General
Department of Posts
New Delhi – 1
3. The Inquiring Authority
Senior Superintendent of Post Offices
Thiruvananthapuram North Postal Division
Thiruvananthapuram – 01

... Respondents

(By Advocate Mr. Varghese P Thomas, ACGSC)

The application having been heard on 24.07.2012, the Tribunal on the same day delivered the following:

ORDER

HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER

The applicant retired from P.S Group B service from Postal Department on 30.06.2010. Just before his retirement he was served with a charge sheet relating to incidents that had taken place while he was working as Superintendent of Post Offices, Hosiarpur from 30.04.2005 to 30.01.2006. According to him, he wanted certain documents to be



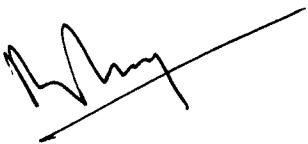
produced in original to know the basis of the charge sheet and he was told that the same is not in existence. According to him, only the photo copies of the documents are produced. As per rules, the Disciplinary Authority should verify the facts from the originals and procedure adopted is wrong. He challenges the charge sheet itself and charges were framed without verifying the originals. The charges were framed in 2005 and the charge sheet was a belated one issued in 2010. It is also submitted at the main culprit is not proceeded with unless he is found guilty in enquiry proceedings, there is no warrant to proceed against the applicant to have committed any misconduct.

2. We find that the enquiry is being held at Punjab since the matter pertains to charge sheet issued which happened at Punjab. At this stage of the proceedings whether they have produced the originals or not cannot be known and at any rate these matters are to be considered after culmination of the enquiry when any penalty is imposed. Therefore, leaving open the contentions as such, we close this matter as *prima facie* we do not think any interference at this stage is necessary or called for.
3. Since the incumbent has already retired from service, it is appropriate that the enquiry be completed as expeditiously as possible within a period of four months from the date of receipt of a copy of this order.
4. OA is disposed of as above. No costs.

Dated, the 24th July, 2012.



K GEORGE JOSEPH
ADMINISTRATIVE MEMBER



JUSTICE P.R.RAMAN
JUDICIAL MEMBER