

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.392/2001

Wednesday this the 6th day of June, 2001

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. T.N.T. NAYAR, ADMINISTRATIVE MEMBER

K.Thirumany,
Postal Assistant (Under suspension)
Kannambra PO,
Palakkad.

..Applicant

(By Advocate Mr. PC Sebastian)

v.

1. The Senior Superintendent of Post Offices, Palakkad Division, Palakkad.l.
2. The Director of Postal Services, Northern Region, Kozhikode.
3. The Union of India, represented by the Secretary, Ministry of Communications, Department of Posts, New Delhi.

...Respondents

(By Advocate Mr.PMM Najeeb Khan (rep.)

The application having been heard on 6.6.2001, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

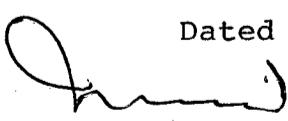
This application is directed against the order dated 19.10.2000 by which the applicant was placed under suspension and the order dated 9.2.01 rejecting his claim for revocation of suspension. It is stated in the application that though the applicant was placed under suspension with effect from 19.10.2000 he has not been served with any memorandum of charge and that the prolonged suspension without issuing the charge sheet is unsustainable in law.

contd....

2. When the application came up for hearing, learned counsel appearing on behalf of the respondents states that a reply statement has been filed, but the same is not seen on record. Learned counsel of the applicant stated that after filing of this application the respondents have served on the applicant a memorandum of charge initiating departmental proceedings and that the application may be closed permitting the applicant to make a further representation to the Ist respondent seeking revocation of suspension and directing the Ist respondent that if such a representation is made, the same should be considered and disposed of within a reasonable time. Counsel for the respondents has no objection in disposing of the application as aforesaid.

3. In the result, in the light of the submission of the learned counsel on either side, the application is disposed of permitting the applicant to make a detailed representation to the Ist respondent for revocation of his suspension and directing the Ist respondent that if such a representation is received, the same shall be considered in accordance with rules and instructions on the subject and taking into consideration of the administrative need and an appropriate reply be given to the applicant within a period of one month from the date of receipt of the representation. There is no order as to costs.

Dated the 6th day of June, 2001


T.N.T. NAYAR
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN