

A 6

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

Original Application No. 79/92

Ambika Prasad Srivastava

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.

The applicant was posted as Sub Post Master. He was served with a charge sheet that he made certain irregularities. He submitted his reply and denied the charges made against him. The matter remained pending and the applicant had to approach the Director General of Post and Telegraph. It was thereafter, the Superintendent of Stores, imposed penalty of recovery of Rs 10,920.00 from his pay. He filed appeal and after investigation the appeal allowed and the amount was reduced to Rs 5460.00. Against the said order of reduction of amount the applicant again preferred the appeal and thereafter the amount was again reduced to Rs 1000.00 vide order dated 2.5.88. The amount was finally recovered from the pay of the applicant. The applicant retired from service on 30.6.88. It was after his retirement that on 22.2.89 he was informed by the Director General Posts that his E.B. at the stage of Rs 1800/- was cancelled.

2. It is not necessary to enter into the details

of the facts. The Director General of Posts, after retirement of the applicant changed the nature of the punishment. No order could have been passed without giving opportunity of hearing and the same amounts to <sup>As such</sup> violation of principles of natural justice. /The application is allowed and the order dated 22.2.89 contained in Annexure No. VI to the O.A. with the result that the loss of monetary benefits suffered by the applicant will be paid to him alongwith 12% interest within 3 months. <sup>from the date of the communication of the order</sup>  
/ No order as to costs.

Shakeel/-

Lucknow: Dt. 2.4.93.

  
Vice Chairman.