

(A6)

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

T.A.No.114/92(TL)

D.A.No.1224/88

R.P. Tiwari : : : : : Applicant

vs.

Union of India & : : : : : Respondents.
Others

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

Hon. Mr. K. Obayya, A.M.

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant who was working as Postal Overseer, Bikapur, District Faizabad, was served with a memo. dated 7/8/86. The charges against the applicant was that he did not give prescribed receipts to the depositors and did not take receipts while making delivery of the Pass Book and did not tally the balance and he failed to make any report regarding the difference in the balance and did not submit Pass Book for passing entry of interest.

The applicant denied the charges. Enquiry Officer was appointed and he submitted his report. The disciplinary authorities disagreed with the finding of the enquiry officer and exonerated the applicant and awarded compulsory

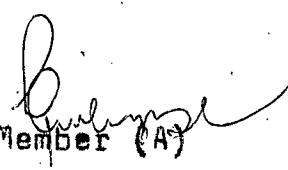
retirement wide order dated 24/9/87. The applicant filed an appeal to the Director of Postal Services.

The appeal was partly allowed and reduced the punishment by reducing his pay by 3 stages from Rs.284/- to Rs.266/- in the pre-revised time scale of Rs.250-350/- for a period of 6 months. The applicant has now challenged the punishment order by which his pay has been reduced as mentioned above.

2. The punishment order was passed after holding enquiry and the disciplinary authorities came to the conclusion that the charges against the applicant were proved. Though the disciplinary authorities awarded punishment of compulsory retirement, the appellate

authorities took a lenient view and reduced the pay of the applicant as mentioned above.

3. According to the applicant, there was some conspiracy against him and the amount was mis-appropriated by some one i.e. one Shri Remeshanker Pandey, who has once been prosecuted in criminal case. It may be so, but the applicant has not been charged with any mis-appropriation, but due to his failure to perform his duties this punishment was given to him. The appellate authorities took a lenient view and have reduced the punishment. We have no power to reduce the punishment any further. This is not a case in which no guilt has been proved against the applicant. Accordingly the application deserves to be dismissed and it is dismissed without any order as to the costs.


Member (A)


Vice-Chairman

Dated: 2nd February, 1993, Lucknow.

(tgk)