

(A)

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

Original Application No. 216 of 1990

Vikram Verma

Applicant

versus

Union of India & others

Respondents.

Shri B. Soloman      Counsel for Applicant.

Dr. D. Chandra      Counsel for Respondents.

Coram:

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

Hon. Mr. K. Obayya, Adm. Member

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

Against the punishment imposing the recovery of Rs 8250.00 vide order dated 23.4.1989 and the appellate order dated 30.11.89, the applicant has approached the Tribunal.

2.           The applicant was working as Clerk and was served with a charge sheet under rule 16 of the CCS (CCA) Rules, 1965 and the charge against him was that the applicant without intervention of the H.O., pasted specimen signature of the depositor in the office specimen signature book and subsequently allowed final withdrawal of Rs 22,375.50 from the aforesaid account on the strength of the specimen signature of the depositor irregularly kept on record in the aforesaid manner and later on it was known that the withdrawal was made by some unknown person resulting in the loss of Rs 30775.50

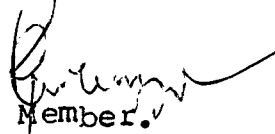
ve


In the second charge it was alleged that the applicant in similar fashion opened on transfer Kheri H.O. joint SB A/c No. 2481732 without intervention of H.O. and on 7.9.87 withdrawal of Rs 2000/- from the account so transferred by obtaining fresh specimen signatures causing loss of Rs 2000- to the department. The applicant submitted reply. The enquiry proceeded and in the enquiry he was held guilty and punishment was awarded. He filed appeal which was dismissed.

3. The respondents have stated that it was after the authority was convinced that the applicant was responsible and the applicant cannot escape the responsibility and that is why the apportioning of liability of this amount on him. According to the respondents, they came to the conclusion that in view of the fact that the applicant pasted specimen signature and without instructions from transferring post office with regard to the specimen signature of the depositor, the withdrawals should have been allowed after proper identification of the depositor.

4. The learned counsel for the applicant strongly contended that in this case various persons were involved and these persons should have been proceeded against together. Undoubtedly, on various levels, certain other persons were involved and every one was responsible for his own action and it was not necessary that the enquiry should have been proceeded against each and every one. The learned counsel for the applicant then contended

that in view of the provisions of law, liability of the applicant should have been fixed only for 1/4th of the amount. There is clear statement by the respondents that the apportioning was made and that is why liability has been fixed. There is no challenge by the applicant even in the memo of appeal. There is no ground for interference in this case and accordingly, the application is dismissed. No order as to costs.

  
Adm. Member.

  
Vice Chairman.

Shakeel/-

Lucknow: Dated 7.1.93.