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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A. No. 746/91

Sunder Lal

Applicant

versus

Union of India & others

Respondents.

Shri S.C. Tripathi Counsel for Respondents.

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

Hon. Mr. K. Obayya, Adm. Member.

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

The applicant who was A.P.O., Faizabad.
A surprise inspection was made ^{at 10.00 hours} at Sohawal R.S. sub post office on 10.11.1987. The applicant who was in charge of the post office had keys of the main gate in his custody attended the office at 10.10 hours i.e. late by 10 minutes, with the result that the charge sheet was issued to the applicant containing three charges

1. Late attendance of the office by 20 minutes when the inspection was made.
2. He could not fill in the S.O. account of Sohawal R.S. Post office from 8.10.87 to 9.11.87.
3. Retained cash in excess of the maximum limit.

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It was also mentioned ~~that~~ Charge sheet that the applicant was habitual of coming late. The applicant, after the inspection submitted his written statement whereafter,

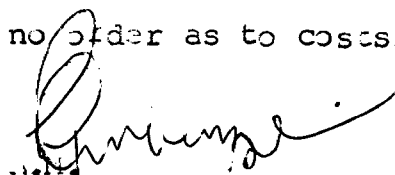
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the authority charged him. The applicant, for the alleged lapses was punished of withholding of one next increment for two years without commulative effect vide order dated 19.1.88. The applicant preferred an appeal to the Director Postal Services Lucknow and the appeal was rejected and the order dated 31.10.88 was confirmed. The applicant's petition submitted to the Member(P) Postal Services Board was also rejected vide order dated 23.7.1990.

2. So far as the charge No. 1 and 3 are concerned, it appears that they were not proved or partly proved. In so far as the charge no. 2 is concerned it was proved. Authority took a serious view and penalty of withholding of increment was not cancelled. It might have been reduced to one increment because the applicant was punished in respect of ^{all} the charges. It is the case of minor penalty and the Tribunal cannot interfere in the quantum of punishment.

3. We find no merit in the application and accordingly it is dismissed. It is for the applicant to approach the reviewing authority for reducing the punishment for withholding of increment to one year from two years as the review authority has diluted the punishment in respect of the charges awarded by the appellate authority or other.

4. The application is disposed of as above with no order as to costs.


V.C.