

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCH PATNA

O.A.NO.: 520/96

DATE OF DECISION: 31st-OCT-96

BHAGWAT RAM.

: APPLICANT.

VRS.

UNION OF INDIA & ORS.

: RESPONDENTS.

COUNSEL FOR THE APPLICANT.

: SHRI S.N.TIWARY.

C O R A M

HON'BLE SHRI K.D.SAHA, MEMBER (ADMINISTRATIVE)

HON'BLE SHRI D. PURKAYASTHA, MEMBER (JUDICIAL)

ORDER DICTATED IN OPEN COURT

HON'BLE SHRI K.D.SAHA, MEMBER (A):

Heard Shri S.N.Tiwary, learned counsel for the applicant. The applicant while working as Extra Departmental Delivery Agent (hereinafter referred to as EDDA) of Umta EDBO in the Gaya Central Sub-Division, Gaya was put-off duty under Rule 9 of EDA (Conduct & Service) Rules, 1964, w.e.f. 01.01.1984 in connection with a Criminal case in which eight employees working as Postman, Postal Assistant, SPM, Mail Peon, EDDA, etc. in Belaganj, Umta & Agri EDBOs were involved. Shri Tiwary submits that a Criminal case No. 46/84 under Section 409, 419 & 420 of the IPC, (State Vrs. Bajrangi Sharma & Ors., registered as G.R.Case No.1004/84 in the Court of Chief Judicial Magistrate, Gaya ^{was instituted.} His submissions ^{re-instated and} is that although six other employees were allowed to work, the applicant is still under put-off duty since 01.01.1984. It is stated that three out of those six employees, two have died and one has retired. Shri Tiwary further submits that the

applicant has submitted a representation addressed to the Chief Post Master General, Bihar Circle, Patna (Respondent no.2) as at Annexure-A/1, dated 30.05.1996 in this connection. But his grievances have not been redressed so far.

2. Considering the submissions and also ~~after~~ after going through the averments on record and also taking into account the fact that the Criminal Case is still ^{pending} ~~continuing~~, we are of the view that this application can be disposed of by giving a direction to respondent no. 2 to dispose of the representation as at Annexure-A/1 dated 30.05.1996 ^a by ~~by~~ reasoned and speaking order in accordance with law. Accordingly, we direct the respondent no.2 to consider and dispose of the representation as at Annexure-A/1, dated 30.05.1996 within three months from the date of receipt of the copy of this order alongwith copy of the O.A. The applicant is directed to send a copy of this order alongwith a copy of the O.A. ^{to Respondent no 2} within 15 days from ~~today~~ ^{today}.

3. The application is ~~is~~ disposed of accordingly.

(D. PURKAYASTHA)
MEMBER (J)

(K.D. SAHA)
MEMBER (A)