

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR.

O.A.NO. 681/88

199

~~IR-1000~~

DATE OF DECISION 4.11.1993.

Shri S.S. Kisanrao.

Applicant(s)

Versus

S.S.P.O., Akola & 2 Others.

Respondent(s)

1. Whether it be referred to the Reporter or not ? *m*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *m*

N.K. Verma
(N.K. VERMA)
MEMBER

M.S. Deshpande
(M.S. DESHPANDE)
VICE CHAIRMAN

(8)

Before The Central Administrative Tribunal
Bombay Bench, Camp at Nagpur.

O.A. 681/88.

Shri S.S. Kisanrao.

.. Applicant.

V/s.

S.S.P.O., Akola & 2 Others.

.. Respondents.

Coram : Hon'ble Shri Justice M.S. Deshpande, Vice Chairman.
Hon'ble Shri N.K. Verma, Member (Admn.)

Appearance:

Mr.M.M. Sudame, Counsel
for the Applicant.

ORAL JUDGMENT :

Dated : 4.11.1993.

§ Per : Hon'ble Shri M.S. Deshpande, Vice Chairman §

Heard Mr. Sudame, learned Counsel for applicant.

2. The applicant challenges the findings holding the applicant to be guilty and the punishment of reduction for three years to the minimum of time scale without cumulative effect.

3. By the charge sheet dtd. 24.1.1983, three charges were framed on the applicant. It reveals that the first charge was that the applicant had manhandled K.G. Vitkare, EDDA of his office on 19.11.1982 vide his report dtd. 20.11.1982 and also gave a threat to his life in the Post Office during the working hours. The second charge was that the applicant had closed office on 19.11.1982 and 20.11.1982 of his own accord and had remained absent from duty without prior permission. The third charge was that the applicant disobeyed the written orders of A.S.P.O. Central, Akola by not allowing Shri K.G. Vitkare on duty.

4. Shri Sudame, learned Counsel for the applicant submitted that he should have been given an opportunity to

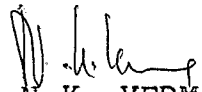
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show cause if the Disciplinary Authority were to disagree with the findings of the Enquiry Officer.

5. It is apparent that the applicant was held guilty by the Disciplinary Authority. In this case no major penalty was imposed on the applicant and it was not necessary to give prior notice to the applicant if the Disciplinary Authority disagreed with the findings of the Enquiry Officer.

6. The application is dismissed. There will be no order as to costs.

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(N.K. VERMA)
MEMBER (A).

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(M.S. DESHPANDE)
VICE CHAIRMAN.

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