

(5)  
BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A.903/88

Sapna S.Parab,  
C/o.Vasant M.Mulik,  
Laxmi Sadan, 3rd Floor,  
Cavli Compound,  
R.No.70/71,  
N.M.Joshi Marg,  
Bombay - 400 013.

.. Applicant

vs.

1. Post Master General,  
Maharashtra Circle,  
GPO Bldg.,  
Bombay - 400 001.
2. The Assistant Superintendent  
of Post Offices,  
Telephone Exchange Building,  
Vile Parle (West),  
Bombay - 400 056.
3. Union of India  
through  
The Secretary,  
Department of Posts,  
Dak Tar Bhavan,  
Parliament St.,  
New Delhi - 110 001.

.. Respondents

Coram: Hon'ble Shri Justice S.K.Dhaon,  
Vice-Chairman.

Hon'ble Shri M.Y.Priolkar,  
Member(A )

Appearances:

1. Mr.C.B.Kale  
Advocate for the  
Applicant.
2. Mr.V.M.Bendre  
Advocate for the  
Respondents.

ORAL JUDGMENT:  
(Per S.K.Dhaon, Vice-Chairman)


Date:25-8-1992


On 1st January,1987, the Asstt.  
✓ Superintendent of Post Offices, <sup>the</sup> appointing authority, passed an order terminating the services of the applicant under Rule 5 of the Central Civil Services(Temporary Service)Rules,1965. The applicant presented a petition before the Post Master General,Bombay which was dismissed on 28-12-1987. The two orders have been impugned in the present application.

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2. We have seen the order of the Post Master General which is a detailed one. He has taken into account all the relevant facts. He has accepted the position that resort was taken by the appointing authority to Rule 5, above mentioned, during the pendency of the disciplinary proceedings. In law, it was permissible to the appointing authority to pass an order under Rule 5 if the exigencies of the case so required. We are satisfied that, having regard to the facts and circumstances of the instant case and also keeping in view the <sup>last</sup> ~~allegation~~ <sup>act</sup> against the applicant that she was in the habit of not delivering postal articles to the addressees, the order of removal was rightly passed. We find it difficult to give any relief to the applicant.

3. The application is dismissed with no order as to costs.

  
(M.Y. PRIOLKAR)  
Member(A )

  
(S.K. DHAON)  
Vice-Chairman

MD