

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

TODAY THE TWELFTH NOVEMBER, 1986

Present: Hon'ble Mr Justice K.S.Puttaswamy

Vice Chairman

Hon'ble Mr P.Srinivasan

Member(A)

APPLICATION NO. 1010/86

Venkatachalaiah,
Mailman,
Office of the Sub-Record Officer,
Bangalore 560 023.

... Applicant

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Vs

1. The Senior Superintendent
Railway Mail Service,
Bangalore Sorting Division,
Bangalore- 560 029.

2. The Director of Postal Services,
(Head Quarters),
Office of the Post Master General,
Karnataka Circle,
Palace Road,
Bangalore - 560 001.

3. The Union of India
by its Secretary to the
Ministry of Communication,
Sanchar Bhavan,
New Delhi 110 001.

... Respondents

(Shri N.Basavaraju ... Advocate)

This application has come up before Court
today for hearing. Vice Chairman made the following:

O R D E R

Case called on more than one occasion and finally
at 1.20 PM. On every occasion, the applicant and his
learned counsel are absent.

2. We have perused the records and heard Shri N.
Basavaraju, learned additional Standing Counsel for the
Central Government.

3. In this transferred application received from the High Court of Karnataka under Section 29 of the Administrative Tribunals Act of 1985 (Act), the applicant has challenged order no. Memo No. STA/9-3/I 69/83, dated 8-9-83 (Annexure E) of the Director of Postal Services (Karnataka Circle) Bangalore (Director) affirming the order no. Memo No. K4/50/81-82 dated 24-3-1983 of the Senior Superintendent of Post Offices RMS Bangalore (SSP).

4. At the material time, the applicant who was working as a Mailman, without obtaining leave of absence, absented himself from duty for a considerably long period. On that basis, the SSP initiated disciplinary proceedings under the CCS(CCA) Rules, 1965 and by his order dt. 24.3.83, inflicted the penalty of reduction to the minimum of the payscale for a period of 3 years without cumulative effect. Aggrieved by the said order, the applicant filed an appeal under Rule 23 of the Rules before the Director, who by his order dt. 8.9.83 dismissed the same. Hence this application.

5. We have perused the orders made by the Director and the SSP and examined every one of the grounds urged by the applicant to upset them. We are of the view that the orders made by the authorities do not suffer from any infirmity on any of the grounds urged by the applicant to justify our interference against them. We therefore reject the challenge of the applicant to the orders of the Director and SSP.

6. The applicant had sought for a direction to the respondents to promote him to the post of a Sorting Assistant. Shri Basavaraju informs us that the applicant has been promoted to that cadre immediately on the expiry of the punishment imposed against him. Hence, the second prayer of the applicant no longer survives for consideration.

7. In the light of our above discussion, we hold this application is liable to be dismissed. We therefore dismiss this application. But in the circumstances of the case, we direct the parties to bear costs.

M.S. Akkareddy

VICE CHAIRMAN

P.S. U

12/11/86

MEMBER(A)