

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 13TH DAY OF FEBRUARY, 1987

Present: Hon'ble Mr. K.S. Puttaswamy, Vice-Chairman
Hon'ble Mr. L.H.A. Rego, Member (A)

APPLICATION NO. 1380/86

Shri T.T. Doddamani,
major, SP.M.
Gudageri,
Dist. Dharwar. ... Applicant
(Shri M. Raghavendrachar, Advocate)

v.,

1. The Director General
of Post Offices,
Dharwad Division,
Dharwad.
2. Post Master General
in Karnataka,
Palace Road,
Bangalore. ... Respondents

(Shri M. Vasudeva Rao, (A.C.G.S.C.))

This application having come up for hearing
to-day, Justice K.S. Puttaswamy, Vice-Chairman made
the following.

O R D E R

In this transferred application received from
the High Court of Karnataka under Section 29 of the
Administrative Tribunals Act, 1985, the applicant
has challenged the order No.F-2/VII/8/82-83 dated
31.8.1983 (Annexure-A) of the Senior Superintendent
of Post Offices, Dharwad Division, Dharwad (SSPO)

and Order No. DPS/STA/9-TTD/83 dated 31.12.1983 of the Director of Postal Services, North Karnataka Region, Dharwad ('the Director') Annexure-B).

2. At the material time, the applicant was working as Inspector of Post Offices ('Inspector') in the Hubli West Division of the Postal Department. In exercise of the powers conferred on him by the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the SSPO initiated disciplinary proceedings against the applicant on the Articles of Charge specified in the Charge Memo and Statement of Imputations. He also appointed an Inquiry Officer ('IO') to hold a regular enquiry into the truth or otherwise of the charges levelled against the applicant, who on holding a regular inquiry submitted his report to SSPO holding that the applicant was guilty of the charges levelled against him. On a consideration of the report of the IO and the evidence on record, the SSPO passed the order on 31.8.1983 concurring with the report of the IO and imposed the following penalty against the applicant.

"
O R D E R

I, Shri N.D. Bhakka, Sr. Supdt. of Post Offices, Dharwad Division, Dharwad-8 do hereby order that the pay of Shri T.T. Doddamani, SPM Gudgeri be reduced by one stage from Rs.468/- to 456/- in the Time Scale of

pay with effect from 1.9.1983. It is further directed that Shri T.T. Doddamani will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have an effect of postponing his future increments of pay."

Aggrieved by this order, the applicant filed an appeal before the Director, who by his order dated 31.12.1983 has dismissed the same. Hence this application.

3. Shri M. Raghavendrachar, learned counsel for the applicant, contends that the Director had not considered all the material grounds urged by his client in support of his appeal and had not addressed himself to the requirements of Rule 27 of CCS (CCA) Rules, 1965 ('the rules').

4. Shri M. Vasudeva Rao, learned Addl. CGSC, appearing for the respondents, sought to support the impugned orders.

5. We have carefully read the Order made by the Director. We find that the Director had addressed himself to all the material contentions urged by the applicant, and recorded his findings on all of them. We also find that the Director had kept in mind the requirements of rule 27 of the rules and had decided the appeal. We are of the view that the order made by the Director is a speaking order and satisfies all the requirements of rule 27 of the rules. We see no merit in the contention of Shri Achar.

6. As the only contention urged by Shri Achar fails, 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 their own costs.


Vice-Chairman


Member (AM) (R) 13.2.1987

dms/Mrv.