

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex (BDA),
Indiranagar,
Bangalore - 560 038

Dated : 30-6-87

APPLICATION NO 345

/87 (F)

W.P. NO /

Applicant

Shri D. Basappa

v/s The Secy, P & T Dept and 3 Ors

To

1. Shri D. Basappa
R/a Hattur
Hennalli Taluk
Shimoga District
2. Shri M.S. Hosmath
Advocate
Room No. 19, 2nd Floor
Andhra Devanga Building
(Near Mati Mahal Hotel)
Gandhinagar, Bangalore - 560 009
3. The Post Master General
Karnataka Circle
Bangalore - 560 001

4. The Senior Superintendent of
Post Office
Shimoga
5. The Divisional Inspector
Shimoga East Postal Sub-Division
Shimoga
6. Shri M.S. Padmarajaiah
Senior Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

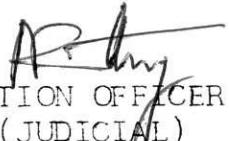
Please find enclosed herewith the copy of ORDER/~~XXXXXX~~

~~XXXXXXXXXXXX~~ passed by this Tribunal in the above said

application on 19-6-87.

7. The Secretary,
Postal & Telegraphic Department,
New Delhi.

Encl : as above


SECTION OFFICER
(JUDICIAL)

Issued
117/87

8/2.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE
DATED THIS THE 19th DAY OF JUNE, 1987

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice-Chairman
Hon'ble Sri L.H.A.Rego Member

APPLICATION No.345/87

D.Bassappa,
R/a Hattur,
At and post Honnali Taluk,
Shimoga District. ... Applicant
(Sri M.S.Hosmath ... Advocate)

Vs.

Secretary,
Postal and Telegraphic Department,
New Delhi.

The post Master General,
Post and Telegraphic Department,
Bangalore.

The Senior Superintendent of Post Office,
Shimoga.

The Divisional Inspector,
Shimoga, East Postal Sub-Division
Shimoga. ... , Respondents

(Sri M.S.Padmarajaiah ... Advocate)

This application has come up before the court
today. Hon'ble Justice Sri K.S.Puttaswamy, Vice-Chairman
made the following :

ORDER

Case called on more than one occasion in the pre-lunch and post-lunch sessions. On every occasion the applicant and his learned counsel are absent. We have granted more than one adjournment and we do not see any justification to further adjourn this case. We have examined the papers and heard Sri M.S.Padmarajaiah, learned S.C.G.S.C. appearing for the respondents.



2. In this application made u/s 19 of the AT Act of 1985, the applicant has challenged the order No.B/BO/124 dated 4.5.1987 (Annexure-A) of the Senior Superintendent of Post and Telegraphic Office, Shimoga ('Superintendent') putting him off from duty w.e.f. 24.4.1987.

3. Sri Padmarajaiah submits that the applicant who was working as EDBPM at Hattur-Balmuri Village of Shimoga District governed by Post and Telegraphs Extra Departmental Agents (Conduct & Service) Rules, 1964 ('Rules') contested for Mandal Panchayat elections and has also been elected in contravention of Rule 18 of the Rules and therefore the Superintendent had kept him off duty and proposes to initiate regular disciplinary proceedings against him under the Rules. The applicant does not dispute the correctness of these submissions. If these submissions are correct, then it was undoubtedly open to the Superintendent to make his order of 4.5.1987 and commence disciplinary proceedings. We see no illegality or irregularity in the order made by the Superintendent to justify our interference.

4. In the light of our above discussions, we hold that this application is liable to be rejected. We therefore reject this application. But in the circumstances of the case, we direct the parties to bear their costs.



Sd/-

1987
Vice-Chairman
(Lalit V.S.)

Sd/-

1987
Member (A) T 19.6.1987

-True Copy-

R. Rithy
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE
30/6/87