

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 19/8/87

Application No. 708 / 86 (F)

W.P. No

Applicant

Shri K. Prakash Rao

To

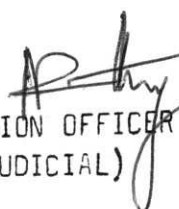
V/s The Senior Supdt of Post Offices,
Puttur Division & 2 Ors

1. Shri K. Prakash Rao
Majalu House
Vogga P.O. 574265
Bantwal Taluk
Dakshina Kannada District
2. Shri N. Shankaranarayana Bhat
Advocate
S.R. Nagar
Bangalore - 560 027

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN
APPLICATION NO. 708/87(F)

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 12-8-87.

Encl : as above.


SECTION OFFICER
(JUDICIAL)

Balu* **RECEIVED** 21/8/87

Diary No. 1030/CR/87

Ins Date: 22/8/87

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 12TH DAY OF AUGUST, 1987.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy,

.. Vice-Chairman.

And:

Hon'ble Mr. B.N. Jayasimha,

.. Vice-Chairman(A)

APPLICATION NUMBER 708 OF 1987

K. Prakash Rao,
S/o K. Janaka Rao,
Aged about 30 years,
EDS.P.M. Put Off, Vogga 574 265, Bantwal,
Taluk, D. Kannada District.

.. Applicant.

(By Sri N. Shankaranayana Bhat, Advocate)

v.

1. The Senior Superintendent of Post
Office, Puttur Division,
Puttur Division, Puttur, D. Kannada Dist.
Puttur 574201.
2. The Director of Postal Services,
South Kanara Region,
Bangalore-560 001.
3. The Government of India by the Postal
Service Board by its Chairman,
Department of Posts, Ministry of Communications,
New Delhi-110 001.

.. Respondents.

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This application having come up for Admission to-day, Vice-Chairman(J) made the following:

ORDER

in this application made under Section 19 of the Administrative Tribunals Act, 1985, the applicant has challenged Memorandum No. BII/2-14/BTV dated 29-1-1987 of the Senior Superintendent of Post Offices, Puttur Division, Dakshina Kannada ('SSPO').



2. Prior to 29-1-1987, the applicant was working as an Extra-Departmental Sub-Post Master ('EDSPM') of Vogga Village, Dakshina Kannada District. On 29-1-1977, the SSPO has put off the applicant from duty on the ground that a criminal case was pending against him.

3. Shri N.Shankaranarayana Bhat, learned counsel for the applicant, contends that the order of the SSPO putting off the applicant from duty was unjustified and illegal.

4. In the impugned order, the SSPO had expressly stated that a criminal case was pending against the applicant. On that basis, the SSPO exercising the powers conferred on him by Rule 9 of the P & T Extra Departmental Agents (Conduct and Service) Rules, 1964 had kept off the applicant from duty.

5. Whenever a criminal case was pending, the authority is empowered to place an EDSPM under suspension or, as it is called 'put off duty' pending disposal of that case. In that view, it was undoubtedly open to the SSPO to put off the applicant from duty. We, see no error of jurisdiction or illegality in the order made by the SSPO. We, therefore, reject this application at the admission stage without notices to respondents.

Sd _____

VICE-CHAIRMAN

12/8/87

Sd _____

VICE-CHAIRMAN(A)

12/8/87

np/

- True copy -

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

19/8/87

