

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE BENCH

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Commercial Complex(BDA)

Indiranagar

Bangalore - 560 038

Dated :

3 APR 1989

APPLICATION NO (S) 2045 / 88(F)

W.P. NO (S) \_\_\_\_\_ /

Applicant (s)

Shri H.V. Adinareyanappa

To

v/s The Senior Supdt. of Post Offices, Kolar

1. Shri H.V. Adinareyanappa  
Ex-Branch Post Master  
Hosahudya B.O.  
A/W Bagepalli - 561 201 (Kolar District)
2. Shri M. Raghavendra Acharya  
Advocate  
1074-1075, 4th Cross  
Banashankari I Stage  
Sreenivasa Nagar II Phase  
Bangalore - 560 050
3. The Senior Superintendent of  
Post Offices  
Kolar Division  
Kolar - 563 101
4. Shri M. Vasudeva Rao  
Central Govt. Stng Counsel  
High Court Building  
Bangalore - 560 001

Respondent (s)

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STRA~~/~~EXTERIMXBRBR~~  
passed by this Tribunal in the above said application(s) on 28-3-89.

Encl : As above

*By Venkateshwar*  
DEPUTY REGISTRAR  
(JUDICIAL)

*ofc*

**CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE**

DATED THIS THE 28TH DAY OF MARCH, 1989

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
and  
Hon'ble Shri P. Srinivasan Member (A)

APPLICATION NO. 2045/1988

Shri H.V. Adinarayyanappa,  
Major, Ex-B.P.M.,  
Hosahudya, B.O.  
A/W. Bagepalli - 561 201. .... Applicant.  
(Shri M. Raghavendrachar, Advocate)

Senior Superintendent of  
Post Offices,  
Kolar Division,  
Kolar. .... Respondent.  
(Shri M. Vasudeva Rao, C.G.A.S.C.)

This application having come up for hearing to-day,  
Vice-Chairman made the following:

**ORDER**

In this application made under Section 19 of the Administrative Tribunals Act, 1985 (the Act), the applicant has challenged Memo No.82/BPM/108-3 dated 27.1.1986 (Annexure-A) of the Senior Superintendent of Post Offices, Kolar Division, Kolar (Superintendent).

2. Shri H.V. Adinarayanappa the applicant before us, was appointed as Extra Departmental Branch Post Master (EDBPM) on 14.3.1983 on a temporary basis. In the impugned order, the Superintendent had terminated the services of the applicant with immediate effect, the validity of which is challenged by him in this application.

3. This application is made on 19.2.1988. In making this application, there is a delay of 690 days. In I.A. No.1 filed under section 21(2) of the Act, the applicant has sought for condonation of that delay.

4. I.A. No.1 and the main application are opposed by the respondent.

5. Shri M.R. Achar, learned counsel for the applicant, contends that the facts and circumstances stated in I.A. No.1 constitute a sufficient ground for condoning the delay and deciding the case on merits.

6. Shri M. Vasudeva Rao, learned counsel for the respondents, urges that every one of the facts and circumstances stated by the applicant do not constitute a sufficient ground for condonation of delay and that even otherwise there were no grounds to interfere with the impugned order.

7. We have carefully read the affidavit filed in support of I.A. No.1, in which the applicant alludes to a criminal case and the representation made by him. We are of the view that every one of the facts and circumstances stated in I.A. No.1 do not constitute a sufficient ground for condonation of delay. If that is so, then I.A. No.1 is liable to be rejected. When once we reject I.A. No.1, the main application is also liable to be dismissed without examining the merits.

8. We have perused the impugned order and all the relevant papers relating to the termination order. We find that the termination of the applicant is a

termination simpliciter and is not as a measure of punishment. If that is so, then there is hardly any ground for us to interfere with the impugned order at all.

9. On the foregoing discussion, we dismiss this application. But, in the circumstances of the case, we direct the parties to bear their own costs.

Sd —

VICE-CHAIRMAN  
26/2/1989

Sd —

MEMBER (A)

TRUE COPY



R. Venkatesh  
DEPUTY REGISTRAR (JDL) 373  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE