

(8)

# IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

~~NEW~~ BOMBAY BENCH  
CAMP AT NAGPUR

O.A. No. 457/90  
T.A. No.

198

DATE OF DECISION 11.3.1992

C.L. Bandewar Petitioner

Mr. J.L. Bhoot Advocate for the Petitioner(s)

Versus

Asstt. Supdt of Posts, Nagpur Respondent

Mr. Ramesh Darda Advocate for the Respondent(s)

**CORAM**

The Hon'ble Mr. Justice U.C. Srivastava, V/C

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement ? ✓
2. To be referred to the Reporter or not ? ✓
3. Whether their Lordships wish to see the fair copy of the Judgement ? ✓
4. Whether in needs to be circulated to other Benches of the Tribunal ? ✓

( U.C. Srivastava )  
V/C

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH, BOMBAY  
CAMP AT NAGPUR  
\* \* \* \* \*

(9)

Original Application No.457/90

Shri C.L.Bandewar

... Applicant

V/s

Asstt. Sudpt of Posts, Nagpur  
and another.

... Respondents

CORAM : Hon'ble Vice-Chairman, Shri Justice U.C.Srivastava

Appearances:

Mr. J.L.Bhoot, Advocate  
for the applicant and  
Mr.Ramesh Darôa, Counsel  
for the respondents.

ORAL JUDGMENT:

Dated : 11.3.1992

(Per. U.C.Srivastava, Vice-Chairman)

The applicant, after departmental enquiry, was awarded a minor punishment of withholding next increment for a period of three years without cumulative effect vide order dated 24.5.1988. The applicant was working as a Postman at Laxmi Nagar Post Office. A charge sheet was served upon him. Two charges were regarding his conduct and misbehaviour including the abusive language which was used by him and he was in a drunken condition. The applicant submitted a reply to the same denying the charges. The disciplinary authority after going through the same came to the conclusion that the charges against the applicant were proved and that is why the said punishment order was awarded. The applicant filed an appeal. One of the grounds of the applicant was that an enquiry took place behind the back of the applicant and the applicant was not given an opportunity of hearing and he was not given an opportunity to cross examine the witnesses. The appellate authority dealt with this position and found that as a matter of fact every thing

was contained in the charge sheet and it was not the case of an enquiry behind his back and the applicant's consent was taken into account before awarding the punishment. The applicant did not apply for any personal hearing before the disciplinary authority as such his plea that of course personal hearing was also not given cannot holds any fruit. In view of the fact that there were charges against the applicant and not only the disciplinary authority but the appellate authority was also satisfied with the charges against him stand proved and he deserves a minor punishment. No illegality has been committed and ~~xx~~ as such the case shall not call for any interference by this Tribunal. No order as to costs.



( U.C.Srivastava )  
Vice-Chairman

v/-