

(02)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH
CAEP AT NAGPUR

Stamp ~~XXX~~ No. ~~N-57/91~~ (OA 416/91)
~~XXXXXX~~

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DATE OF DECISION 12.7.1991

Mr. S. K. Damhare Petitioner

Mr. R. P. Patil Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. Ramesh Darda Advocate for the Respondent(s)

CORAM

The Hon'ble Mr. U.C. Srivastava, Vice-Chairman

The Hon'ble Mr. P.S. Chaudhuri, Member (A)

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 it needs to be circulated to other Benches of the Tribunal ?


(U.C. Srivastava)
V/C

03

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY
CAMP AT NAGPUR

* * * *

Stamp Application No. N-57/91 (DA 416/91)

S. K. Dambhare,
R/o. Malegaon Village,
Post: Malegaon B.O. Under Saoner S.O.
Tah: Saoner, Dist. Nagpur 441 107. ... Applicant

V/s

1. Union of India, through
Secretary, Department of Posts,
Ministry of Communication,
New Delhi 110 001.
2. The Postmaster General,
Nagpur Region,
Maharashtra Circle,
Nagpur 440 010.
3. The Director of Postal Services,
O/O the Postmaster General,
Nagpur Region, Maharashtra Circle,
Nagpur 440 010.
4. The Senior Supdt. of Post Offices,
Nagpur Mofussil Division,
Nagpur 440 012. ... Respondents

CORAM : Hon'ble Vice-Chairman, Shri U.C.Srivastava.
Hon'ble Member (A), Shri P.S.Chaudhuri.

Appearances:

Mr. R.P.Patil, Advocate
for the applicant and
Mr. Ramesh Darda, Advocate
for the respondents.

ORAL JUDGEMENT:

Dated : 12.7.1991

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

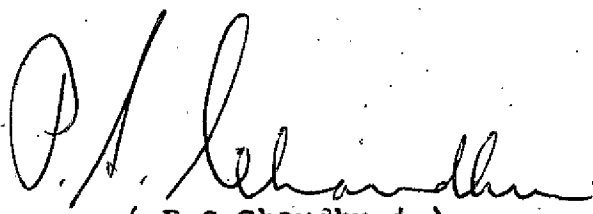
After hearing Mr. R.P.Patil, Advocate for the
applicant and Mr. Ramesh Darda, Advocate who accepts
notice on behalf of the respondents, we dispose of
this case finally.

2. Admit.

041

3. The applicant who was working as an Extra Departmental Branch Post Master was put off duty and later on his services were also terminated. He filed an appeal challenging the termination order on various grounds including that without holding any enquiry his services were terminated in this manner. This appeal was allowed on 13.11.87 and the memo dated 30.9.85 by which his services were terminated was cancelled and it was ordered that he will be deemed to have continued under put off duty since the date of original put off i.e. 21.1.1985. From the order it appears that a direction was given that a fresh charge sheet may be served upon the applicant and thereafter the enquiry may start. Six years have since passed but the applicant continues to remain on put off duty.

4. Accordingly we direct that the enquiry shall be concluded within a period of three months from the date of communication of this order and the applicant shall cooperate. In case despite full cooperation by the applicant the enquiry is not concluded within this period the applicant's put off duty order shall be deemed to have been quashed. There will be no order as to costs.



(P.S. Chaudhuri)
Member(A)



(U.C. Srivastava)
Vice-Chairman