

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

(2)

O.A. NO: 1306/92

199

~~EXXXXXXX~~

DATE OF DECISION 20.1.93

Shri S.D.Patinge Petitioner

Applicant in person Advocate for the Petitioners

Versus

Sub. Division Inspector of Respondent
Post offices Akola and others.

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. M.Y.Priolkar, Member(A)

The Hon'ble Mr. V.D. DESHMUKH, Member(J)

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 ?

(M.Y.PRIOLKAR)
MEMBER(A)

mbm*

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CAMP AT NAGPUR

Original Application No. 1306/92

Shri S.D. Patinge
V/s.

... Applicant.

The Sub-Division Inspector of
Post Offices south Sub division
Akola

The Senior Supdt. of Post Offices
Akola.

... Respondents.

CORAM: Hon'ble Shri M.Y.Priolkar, Member (A)

Hon'ble Shri V.D. Deshmukh, Member (J)

Appearance:

Applicant in person.

ORAL JUDGEMENT

Dated: 20.1.93

(Per Shri M.Y.Priolkar, Member (A))

By our order dated 8.8.91, an earlier application (OA 321/92) of this applicant was allowed on the ground that the copy of the Enquiry Officer's report was not furnished to the applicant before imposing on him the order of penalty. However it was clarified in the order that our decision will not preclude the disciplinary authority from reviving the disciplinary proceedings in accordance with law, from the stage of supply of the Enquiry Officer's report.

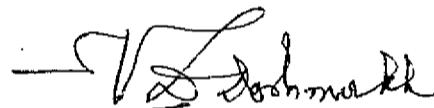
The grievance of the applicant now is that he has been put off duty without reinstatement, by order dated 24.12.91 by which the removal order dated 30.6.89 was also cancelled. On 26.12.91 a copy of the Enquiry Officer's report has again been furnished to the applicant and his explanation called for, which according to the applicant, was submitted on 6.1.92. It appears that these proceedings are still pending. We do not, therefore, find any justification in interfering in the proceedings at this stage. The action of the respondents in continuing with

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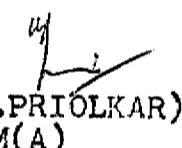
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the proceedings is in accordance with the liberty specifically granted to the respondents by our earlier order. The removal order was set aside on technical grounds and suspension in such cases is also permissible under the rules. We do not therefore, find any merit in this application. It is accordingly rejected summarily at the admission stage itself with no order as to costs.

However, we make it clear that if the applicant is still aggrieved with the final order passed by the disciplinary authority in this case, he may approach this Tribunal again, if so advised, in accordance with law.



(V.D. DESHMUKH)
M(J)



(M.Y. PRIOLKAR)
M(A)

NS/