

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Dated: 15 FEB 1994

APPLICATION NO(s) 908 of 1993

APPLICANTS: M.B.Doddaiah v/s. RESPONDENTS: Chief Post Master General,
Bangalore and Others.

TO.

1. Sri.S.K.Mohiyuddin, Advocate,
No.11, Jeevan Buildings,
Kumara Park East, Bangalore-1.
2. Sri.M.S.Padmarajaiah,
Sr.C.G.S.C., High Court Bldg,
Bangalore-1.
3. Sri.M.Vasudeva Rao, Addl.C.G.S.C.,
High Court Bldg, Bangalore-1.
4. The Sub-Divisional Inspector,
Kanakapura Sub-Division of Post Offices,
Kanakapura.
5. The Director of Postal Services,
O/o.Chief Post Master General,
S.K.Region, Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by
the Central Administrative Tribunal, Bangalore.

-XXX-

Please find enclosed herewith a copy of the
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal
in the above mentioned application(s) on 27-01-1994.

gm*

OLC
Issued on 15.02.94
For DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH
ORIGINAL APPLICATION NUMBER 908 OF 1993

THURSDAY THIS THE 27TH DAY OF JANUARY, 1994.

Mr. Justice P.K. Shyamsundar, ... Vice-Chairman.
Mr. T.V. Ramanan ... Member (A)

M.B. Doddaiyah,
Aged 38 years,
S/o late Beeraiah, EDDA(Under POD),
Ramanagaram P.O.

.. Applicant.

(By Advocate Shri S.K. Mohiyuddin)

v.

1. Chief Post Master General,
Bangalore-1.
2. The Director of Postal Services,
S.K. Region, O/O CPMG.,
Bangalore-1.
3. The Sub-Post Master,
Ramanagaram Post Office,
Ramanagaram.

.. Respondents.

(By Standing Counsel Shri M.S. Padmarajaiah)

O R D E R

Mr. Justice P.K. Shyamsundar, Vice-Chairman:-

We have heard Mr. S.K. Mohiyuddin, learned counsel for the applicant and Shri M.S. Padmarajaiah for Sri M. Vasudeva Rao, learned Standing Counsel for the respondents. The complaint herein as made by the applicant is although he had been put off duty for quite some time, (according to the learned counsel for the last three years) and stopped from working as Extra Departmental Delivery Agent, Ramanagaram, on the strength of a charge sheet issued to him alleging non payment of two money orders, counsel says even to-day there is no sign of an on going inquiry and there is absolutely no chance of the same reaching



the fruition in the near future. He, therefore, wants that whatever be the stage of the inquiry he should atleast be put back into his old saddle and made functional.

2. The learned standing counsel has produced before us the records to show that as a matter of fact the inquiry has taken off with the appointment of an inquiry officer and a presenting officer, and the applicant was notified to attend the inquiry on 28-12-1993 on which date he had remained absent but the official assisting him, at the inquiry one Sri K.Srinivasa who was present at the inquiry sought leave to withdraw his consent to assist the charged official. If that be the position, we cannot therefore accept the allegation that the inquiry had not started. It is thus clear that the department is not dragging its feet in the matter of completing and concluding the inquiry but probably the fault lies with the applicant who is apparently seeking to gain time. But, we do not think it necessary to say that as we can however offer a satisfactory solution by disposing off this application at the stage of admission itself to-day, by directing the Inquiry Officer to fix the next date of hearing on 21-2-1994, at Ramangaram Post Office commencing at 10-00 a.m. On that day Mr. Mohiyuddin counsel for the applicant undertakes to keep his client present so that the inquiry could proceed. With this assurance on the part of the applicant, we think it proper to ask the department to ensure the disposal of the inquiry as expeditiously as possible and at any rate within 3 months from 21-2-1994. In the meanwhile if the department thinks it appropriate, it may consider reinstating the applicant. Mr. Mohiyuddin says the Post Master had actually passed orders directing the applicant should not be

General

put off duty beyond 30-11-1993. If that is so, it is open to the department to take further steps in the matter. Let a copy of this order be sent to the S.D.I.Kanakapura for information and necessary action.

Sd-

MEMBER(A)

Sd-

VICE-CHAIRMAN.



TRUE COPY

G. S. Rao 15/2
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE