

THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

THURSDAY THE FOURTEEN DAY OF MAY
ONE THOUSAND NINE HUNDRED AND EIGHTY NINE

: PRESENT :

THE HON'BLE MR. B.N. JAYA SIMHA : VICE-CHAIRMAN

AND

THE HON'BLE MR. D. SURYA RAO : MEMBER (JUDL.)

ORIGINAL APPLICATION NO. 340 OF 1989

BETWEEN:-

M. Ambi Reddy

...Applicants

AND

- 1) Director General of Posts & Telegraphs,
New Delhi.
- 2) Director of Postal Services,
A.P. Northern Region, Hyderabad - 500001.
- 3) Shri S. Venkata Ramani,
Superintendent of Post Offices,
Nalgonda Division - 508001.
- 4) Shri A. Lingaraj,
S.D.I (P), Devarkonda - 508248,
Nalgonda District.
- 5) Shri P. Jaya Ramalak,
I.O and S.D.I (P), Bongir,
Nalgonda District

...Respondents



(Signature)

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O.A. No. 340 of 1989

The applicant herein was put off duty from the post of EDBPM by Memo No. F9-3/88-89 dated 3.11.1988 of the Superintendent of Post Offices, Nalgonda Division. His complaint is that though more than 4 months have elapsed, no charges were framed, and an inquiry officer was appointed only on 30.3.1989. ~~As~~ ^{Although the} applicant was put off duty in November, 1988, and an inquiry officer was appointed only recently, ^{after a lapse of time} and hence he seeks a direction that the order putting him off duty be declared as arbitrary and illegal, and that he may be put back to duty with full back wages from 3.11.1988.

2. The learned counsel for the applicant states that the applicant has been working for more than 20 years and there has been no charges issued against him during this entire period, and he ~~xxxmarkingxx~~ has worked to the satisfaction of the superior officers. The allegations made in the present charge memo are only technical in nature, and does not amount to any misappropriation. He also relies on a decision rendered by the Calcutta Bench of this Tribunal reported in 1988(1) SLR page 249.

3. The learned counsel for the respondents states that the delay in framing charges and issue the chargesheet ~~xx~~ was due to the fact that two posts of Assistant Post

Masters were vacant, and that when the department also went ^{to the village} for preliminary verification, the applicant was not available. Since the inquiry ^{has been} _{was also} appointed, the inquiry will be completed expeditiously.

4. On a consideration of the facts and circumstances of the case, and keeping in view that the applicant has been put off duty in November, 1988, we direct that the inquiry should be completed within one month from the date of issue of this order, failing which the applicant will be reinstated to duty. ^{The applicant will cooperate in the completion of the enquiry expeditiously.}

5. With the above directions, the application is disposed of. There will be no order as to costs.

B.N.Jayashimha
(B.N.JAYASIMHA)
V.C.

D. Surya Rao
(D. SURYA RAO)
M(J)

Dated 4th May, 1989

dms.

*Furnish tomorrow
Post on 5-5-89*

*S. Venkateswaran
DEPUTY REGISTRAR(J)
5/5/89*

TO

- 1) Director General of Posts & Telegraphs, New Delhi
- 2) Director of Postal Services, A.P. Northern Region at Hyderabad - 500001
- 3) One copy to Mr. A. Narayana Reddy, Advocate, Plot No. A-138, Ravindranagar, Habsiguda, Hyderabad - 500007
- 4) One copy to Mr. P. Ramakrishna Raju, Sr. CSE, CAT, Hyderabad
- 5) One spare copy.

*With thanks
J. D. S. 5/5/89*