

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.793/92

Date of Order: 4.1.1993.

BETWEEN :

M.Manohar

.. Applicant.

A N D

1. The Superintendent of Post Offices,  
Sangareddy Division, Sangareddy.

2. The Director of Postal Services,  
Hyderabad Region, Hyderabad. .. Respondents.

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Counsel for the applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.N.V.RaghavaReddy

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CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

T.C.R

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DR  
GK

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Order of the Single Member Bench delivered by  
Hon'ble Shri T.Chandrsekara Reddy, Member (Judl.).

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This is an application filed under Section 19 of the Administrative Tribunals Act to reinstate the applicant in service with all consequential benefits and pass such other order or orders as may deem fit and proper in the circumstances of the case.

The allegations as against the applicant are that the applicant while working as Postal Assistant has forged the signatures of the depositors and has committed fraud to the tune of Rs. 38.444.68 Ps. In view of the said allegations against the applicant, contemplating a departmental enquiry the applicant had been kept under suspension w.e.f. 1.10.91. Actually suspension orders on the applicant seem to have been served on 30.10.1991 on the applicant. It is the grievance of the applicant, even though more than one year has elapsed, that final decision has not been taken in the matter and so, he is liable to be reinstated.

2. In view of the grave and serious allegation as against the applicant we are not prepared to order reinstatement of the applicant at this stage as an enquiry as against the applicant is said to be in progress. Hence we reject the prayer of the applicant for reinstatement. But Mr. S.Ramakrishna Rao, learned counsel for the applicant maintained that subsistence allowance to the applicant had been reduced to the applicant from 56% to 35% for no fault of the applicant and that subsistence allowance at the rate of 75% is liable to be paid to him. As already pointed out the preliminary enquiry as against the applicant is pending from more than one year. We are unable

to understand why the department should take so much of time for taking a decision either to issue a charge sheet or to drop the proceedings as against the applicant. Nevertheless after hearing both sides, we direct the respondents to take a decision with regard to the matter that is under preliminary enquiry as against the applicant, within two months either by issuing a charge sheet or by dropping the proceedings. If within two months as aforesaid the respondents fail to take a decision, the applicant will be at liberty to approach this Tribunal afresh in accordance with law for redressal of his grievance. After hearing both sides as an interim measure we direct the respondents to pay subsistence allowance to the applicant at the rate of 50% w.e.f. today until a decision is taken by the respondents either to issue charge sheet or drop the proceedings. The application is disposed of accordingly with the said directions, leaving the parties to bear their own costs.

T. Chandrasekhar Reddy  
(T. CHANDRASEKHA REDDY)  
Member (Judl.)

Dated: 4th January, 1992

(Dictated: in Open Court)

87/193  
Deputy Registrar (O)

To

1. The Superintendent of Post Offices,  
Sangareddy Division, Sangareddy.
2. The Director of Postal Services,  
Hyderabad Region, Hyderabad.
3. One copy to Mr. S. Ramakrishna Rao Advocate, CAT. Hyd.
4. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.  
sd
5. One spare copy.

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30-1-92  
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RM (3)  
TYPED BY 7/1/93 COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CHECKED BY APPROVED BY  
HYDERABAD BENCH

HYDERABAD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: AT HYDERABAD

THE HON'BLE MR.

V.C.

AND

THE HON'BLE MR.R. BALASUBRAMANIAN:M(A)

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY:M(J)

AND

THE HON'BLE MR.C.J. ROY : MEMBER(JUDL)

Dated: 4 - 1 - 1992

~~ORDER~~ JUDGMENT:

R.A./ C.A./M.A.No.

in

O.A.No. 793/92

T.A.No.

(W.P.No. )

Admitted and Interim Directions issued

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default

M.A. Ordered/Rejected

No order as to costs.

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