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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A. 1124/93.

Dt. of Decision: 13-11-96.

G.V.S. Sai Baba.

.. Applicant.

VS

1. The Sub-Divisional Inspector of Post Offices, Ongole (West) Sub-Division, Ongole.
2. The Sr. Supdt. of Post Offices, Prakasam Division, Ongole.
3. The Post Master General, Eastern Region, Vijayawada.

.. Respondents.

Counsel for the Applicant : Mr. K. Venkateswara Rao

Counsel for the Respondents : Mr. N.V. Raghava Reddy, Addl. CGSC.

CORAM:

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

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ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

Heard Mr.K.Venkateswara Rao, learned counsel for the applicant and Mr.N.V.Raghava Reddy, learned counsel for the respondents.

2. The applicant was issued with a chargesheet by memorandum No.PF/EDMC-DA/Rachapudi, Ongole dated 6-3-89(Annexure-VI) for failure on his part to pay the money orders to the payees. On the basis of the enquiry conducted, the applicant was dismissed from service by proceedings No.EDMC/DA/Rachapudi dated 14-08-90 (Annexure-I) by Assistant Superintendent of Post Offices, Ongole Division. The appellate authority viz., R-2 modified the order of dismissal dt. 14-08-90 ^{and} ^{him} ~~to~~ removed ^{by} from service vide Memo No.F3-1/88-89 dated 5-6-91 (Annexure-II). Against this order the applicant filed a revision petition to the Director of Postal Services, who confirmed the order of R-2 ^{by} his proceedings No.ST-15/ED/P.5/91 dated 29-12-92 (Annexure-III).

3. This OA is filed challenging the orders of dismissal dated 14-08-90, modified the order of removal dt. 5-6-91 and the confirmation of the modified order of removal dt. 29-12-92 and for a consequential direction to reinstate him back in service as ED Staff.

4. The main contention of the applicant in this OA is that the quantum of punishment now granted to him is dis-proportionate to gravity ^{of} and the charges levelled against him. Further he has paid back the ^{alleged} ^{amount} defrauded, Rs.2,520/- even earlier to starting of the enquiry. Hence, the applicant is punished ^{twice by way of} ^{for} ^{him} after collecting sum from him and also removing ^{the hardship} from service. Hence, he now prays that reconsideration of the punishment may be done by the appropriate authority and to the applicant

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is thereby mitigated. The Court or Tribunal will not interfere with the order unless the same is proved to be issued for considerations other than what is provided for in the rule book or there is violation of statutory rules or in case of no evidence. However, we find that no such contentions have been pressed in this OA. The only relief asked for is to consider his representation for reinstatement by appropriate authority in view of the circumstances explained as above.

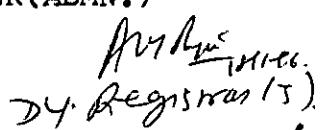
5. Under the above circumstances, We are of the opinion that the applicant may file a suitable representation addressed to the Chief Post Master General, A.P.Circle for consideration of imposing lesser punishment ^{and} to re-engage him as ED Staff elsewhere. If such a representation is received the CPMG should dispose of the same on the basis of the records available ^{and} also in accordance with rules expeditiously.

6. With the above directions, the OA is disposed of No costs.


(B.S.JAI PARAMESHWAR)
MEMBER (EUDL.)
13.11.96


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 13th Nov. 1996.
(Dictated in the Open Court)


24th Registrar (T)

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Copy to:-

1. The Sub Divisional Inspector of Post Offices, Ongole(West), Sub Division, Ongole.
2. The Sr. Supdt of Post Offices, Prakasam Division, Ongole.
3. The Postmaster General, Eastern Region, Vijayawada.
4. One copy to Sri. K.Venkateshware Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.V.Raghava Reddy, Addl. CGM, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Sr. on each copy place, date.

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1124/96

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THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)
H.M.Md. R. S. Tari Parmenter M(3)

DATED: 13/11/96

ORDER/JUDGEMENT
R.A./C.P./M.A.-NO.

D.A.NO. 1124/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS.

YLR

II COURT

