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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

O.A.No.761/93

Date of Order : 21.10.93

MR.CLakshminarasiah

.. Applicant

Vs.

1.The Member,
Postal Service Board,
Department of Posts,
Mak Bhavan, NEW DELHI.

2.Director of Postal Services,
A.P.Northern Region,
Hyderabad Region,
Hyderabad.

3.Senior Superintendent of Post Offices,
Hyderabad City Division,
Hyderabad.

.. Respondents

Counsel for the Applicant : Mr.S.Ramakrishna Rao

Counsel for the Respondents : Mr.N.V.Raghava Reddy, Addl.C.G.S.C

CORAM:

THE HON'BLE MR.JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN

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

18/10/93

O.A.NO.761/93

JUDGMENT

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

When the applicant was working as Postal Assistant at Khairatabad Head Office, Charge Memo dated 12.12.1985 was issued and the charge is as under:-

" Annexure-I

Statement of articles of charge framed against Sri. C.Laxminarasaiah, Postal Assistant, Khairatabad Head Post Office, Hyderabad-500004.

ARTICLE

That the said Sri C.Laxminarasaiah, while functioning as a Postal Assistant at Khairatabad HO absented himself from duty from 1-1-1985 and continued to remain absent, unauthorisedly till date contravening the provisions of Rule 62 of P&T Manual Vol III thereby failing to maintain devotion to duty as required by Rule 3(I)(II) of CCS (Conduct) Rules, 1964"

After inquiry, the order dated 31.12.1986 was passed by compulsorily retiring the applicant from service as punishment. The appeal thereon was dismissed on 27.3.87. The revision thereon was filed before the 1st respondent after more than four years after the appellate authority disposed of the appeal. The 1st respondent filed a said revision by the order dated 10.3.1993 on the ground of inordinate delay in filing the revision. The same is challenged in this OA.

2. Heard the learned counsel for S.Ramakrishna Rao and the learned standing counsel for the respondents, Shri N.V.Raghava Reddy.

3. It is stated for the applicant that in view of his heart ailment and as his wife deserted him leaving five children and in view of the treatment he was under

contd....

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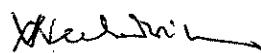
.. 3 ..

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could not file the revision in time. In view of the above circumstances, we feel that it is just and proper to require the 1st respondent to dispose of the review on merits subject to the condition that in case the applicant has to be reinstated in pursuance of the order of the 1st respondent, the applicant will not be entitled to any salary and other allowances for the period from the date of punishment of compulsory retirement till ~~the~~ reinstatement and the said period has to be treated as leave without pay. Hence, the order dated 10.3.1993 is ~~must~~ set-aside. The 1st respondent has to dispose of the revision within six months from the date of receipt of this order.

4. OA is ordered accordingly. No costs.


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

Open court dictation.

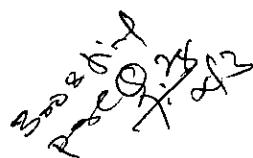
vsn


Dy. Registrar (Jud.)

Copy to:-

1. The Member, Postal Service Board, Department of Posts, Dak Bhavan, New Delhi.
2. Director of Postal Services, A.P. Northern Region, Hyderabad Region, Hyderabad.
3. Senior Superintendent of Post Offices, Hyderabad City Division, Hyderabad.
4. One copy to Sri. S. Ramakrishna Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.V. Raghava Reddy, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rem/-



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COMPARED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER(A)
Ranga Rao Jan.

AND

THE HON'BLE MR.T.CHANDRASEKHAR REDDY
MEMBER(JUDL)

AND

THE HON'BLE MR.P.T.TIRUVENGADAM : M(A)

Dated: 21/10/ -1993

ORDER/JUDGMENT:

M.A./R.A./C.A. NO.

O.A. No.

761/93

T.A. No.

(W.P.)

Admitted and Interim directions
issued

Allowed.

Disposed of with directions
Dismissed.

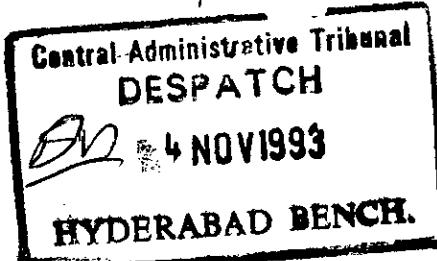
Dismissed as withdrawn
Dismissed for default.

Rejected/Ordered.

No order as to costs.

(20)

3/28/93
3/28/93



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