

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1451/93

Date of Order: 1.12.93

BETWEEN:

Y.Komaraiah

.. Applicant

A N D

1. The Director of Postal Services,
Hyderabad City, Region,
Hyderabad.

2. Senior Supdt. of Post Offices,
Hyderabad South East Division,
Hyderabad.

.. Respondents.

Counsel for the Applicant

.. Mr.S.Ramakrishna Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

HON'BLE Mr.R.RANGARAJAN : MEMBER (ADMN.)

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Judgement

(As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman)

Heard Sri S. Rama Krishna Rao, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. The applicant is working as Postal Assistant in Amberpet Post Office, Hyderabad. Charge memo dated 15-6-1993 was issued to the applicant for ~~committing~~ minor penalty after ~~conducting~~ proceedings under Rule 16 of CCS(CCA) Rules. After consideration of the explanation of the applicant, the impugned order dated 29-10-93 was passed whereby an amount of Rs.4956/- was ordered to be recovered from the applicant at the rate of Rs.413/- p.m. The applicant preferred an appeal on 15-11-1993 against the said order before R-1.

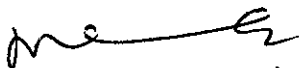
3. This OA was filed praying for suspension of the order dated 29-10-93 whereby an amount at the rate of Rs.413/- p.m. for 12 instalments was ordered to be recovered, Pending disposal of the appeal by R-1. The Appellate Authority R-1 has no power to suspend the order challenged before him, pending disposal of the appeal. Thus, there is no alternative remedy in regard to the relief claimed herein. While it is contended for the applicant that he never worked in the SB Counter in this Post Office during the relevant period, it is stated for the respondents that the applicant ^{in that counter} worked in the relevant period. The imputation enclosed to ~~the charge memo~~ that ~~the~~ ~~applicant~~ ~~an employee~~ misappropriated a large amount while operating at the SB Counter and other counters at Amberpet Post Office, even after she was transferred from there, and the disciplinary action was initiated against the applicant also by alleging

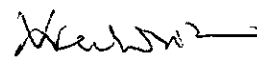
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that he allowed Smt. Rajeswari to operate at the SB Counter and other counters even after she was transferred from this Post Office. Anyhow, it is a matter for consideration

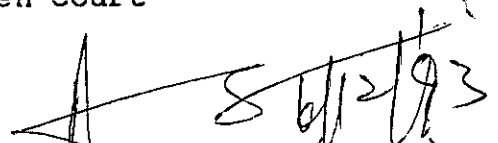
4. We feel that after hearing both the sides it is a fit case where ^{A vacuum} ~~order to inquire~~ as per proceedings dated 29-10-1993 ^{has to be} ~~is~~ suspended pending disposal of the appeal, filed by the applicant against the said order, by R-1.

5. The OA is ordered accordingly at the admission stage.
No costs.


(R. Rangarajan)
Member(Admn)


(V. Neeladri Rao)
Vice-Chairman

Dated : December 1, 93
Dictated in the Open Court


Deputy Registrar(Judl.)

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Copy to:-

1. The Director of Postal Services, Hyderabad City, Region, Hyderabad.
- Senior Superintendent of Post Offices, Hyderabad South Eastern Division, Hyderabad.
- One copy to Sri. S.Ramakrishna Rao, advocate, CAT, Hyd.
- One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
- One copy to Library, CAT, Hyd.
- One spare copy.

10.A.1451/93

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD

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

AND

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

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

AND

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

Dated: 11/12/1993

ORDER/JUDGMENT: _____

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

O.A.No.

in

1451/93

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.

