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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.1473/93

Dated : 17.12.93

BETWEEN :

Mohd. Hafeez

.. Applicant.

A N D

1. The Director of Postal Services,  
Hyderabad City ~~Region~~,  
Hyderabad.
2. Senior Supdt. of Post Offices,  
Hyderabad Soith East Division,  
Hyderabad.

.. Respondents.

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Counsel for the Applicant

.. Mr. S. Ramakrishna Rao

Counsel for the Respondents

.. Mr. V. Bhimanna

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CORAM:

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

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

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Judgement dated 17-12-93

( AS PER SHRI V. NEELADRI RAO, VICE-CHAIRMAN )

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Heard Shri S. Ramakrishna Rao, learned counsel for the applicant and Shri N.R. Devaraj, learned standing counsel for the respondents.

The applicant is working as Postal Assistant at Sarv Nagar. He worked as SB ledger clerk, Stn. Kachiguda during the period from 24-8-88 till 10-5-93. Charge memo. dated 10-5-93 was issued to the applicant and a recovery of Rs.14,508/- in 36 instalments at the <sup>calculated</sup> rate of Rs.403/- pm, commencing from November, 1993. The applicant preferred an appeal to Director of Postal Services, Respondent 1, against this order dated 28-10-93 in regard to the above recovery.

This OA was filed praying for suspension of the recovery pending disposal of the appeal.

It is the case of the respondents that Smt. Rajeswari, Postal Assistant mis-appropriated large amounts while working at Amberpet P.O by not accounting for many of the depositors and some withdrawals. The duty of the ledger clerk at the H.O is to post the entries on the basis of the list of transactions submitted along with the vouchers by the S.O. The imputations of the charge against the applicant disclose that there was negligence in not comparing the D.L.T. (date of last transaction) and balance after the transaction (BAT). Whether it is one of mere negligence or gross negligence is a matter for consideration in the appeal.

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*P.S. J*

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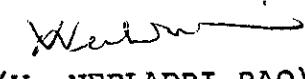
We feel that it is just and proper to suspend the recovery as per the impugned order dated 28-12-93 pending disposal of the appeal by Respondent 1 as against that order.

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

C.C by 21-12-93.

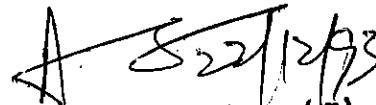
  
(R. RANGARAJAN)

Member (Admn.)

  
(V. NEELADRI RAO)  
Vice-Chairman

(Open court judgement)

NS

  
Deputy Registrar (J)

To

1. The Director of Postal Services, Hyderabad City Region, Hyderabad.
2. The Senior Superintendent of Post Offices, Hyderabad South East Division, Hyderabad.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr. V. Bhimanna, Ad. OGSC. CAT. Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm

23 Dec 1993  
S. Rangarajan

ccbay 21/12/93  
TYPED BY

COMPARED BY

CHECKED BY *V. S. Rao*

APPROVED BY

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)

AND

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

AND

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

Dated: 17-12-1993

ORDER/JUDGMENT

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

in  
O.A.No. 1473/93

T.A.No. ( W.P. )

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn. *Concurred in by C.R.*

Dismissed for default.

Rejected/Ordered.

No order as to costs.

