

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 912/94Date of Order: 30.6.97

BETWEEN :

M. Kondaiah

.. Applicant.

AND

1. Sr. Supdt. of Post Offices,
Chittoor Division, A.P.2. The Post Master General,
A.P. Southern Region,
Kurnool - 518 005, AP.

.. Respondents.

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Counsel for the Applicant

.. Mr. Krishna Devan

Counsel for the Respondents

.. Mr. N.R. Devraj

- - -

CORAM:

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

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

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J U D G E M E N T

X Oral order as per Hon'ble Shri B.S. Jai Parameshwar, M(J) X

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None appeared for the applicant. The applicant ^{was} also absent. Heard Mr. N.R. Devraj, learned standing counsel for the respondents.

2. The applicant while working as Postal Assistant (SBCO) Chittoor was served with a minor penalty charge memo dt. 13.7.93. The applicant on 5.10.93 submitted his explanation to the charge memo. A copy of the explanation is at Annexure-2. The Senior Superintendent of Post Offices, Chittoor Division, Chittoor after considering his explanation imposed the punishment

Jai

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of recovery of Rs.3000 from the pay of the applicant in 30 equal instalments. Against the said order the applicant submitted his appeal dt. 25.11.93. On 4.3.94 the appellate authority namely the Director of Postal Services, Kurnool rejected the appeal and confirmed the punishment.

3. The applicant has filed this OA challenging these two orders.

4. The respondents have filed a counter stating that during the enquiry into frauds committed in Savings Bank, Chittoor involving a total sum of Rs.1,58,115-90 certain omissions on the part of the SBCO came ^{to} light that the applicant was working as UDC II SBCO, Chittoor Head Office from May 1990 to July 1992. During the said period he ^{had} failed to carryout the prescribed checks of the vouchers pertaining to Chittoor. Therefore a minor penalty charge memo was issued to him and after considering his explanation the impugned orders were passed. It is stated that the applicant was not ^{diligent} ~~delinquent~~ in checking the vouchers submitted by the depositors and thereby committed certain misappropriation of the amounts of the depositors. Omissions on ~~the~~ part of the applicant in various transactions ^{has} been indicated in the reply in Pages-2&3. The applicant has not contraverted the same by filing the rejoinder. Though the applicant had taken the contentions that the impugned order was issued by the incompetent authority, the same was rejected by this Tribunal by order dt. 29.8.94 as can be seen from ^{the} ~~the~~ order sheet.

5. During the course of the arguments learned counsel for the respondents brought to our notice the withdrawal form relating to SB account No. 821427 ^{which showed} after the withdrawal was Rs. 6643:25 ^{Rs} but the same was altered to read as 1643-25.

When the depositor withdrew the amount then the applicant was incharge of the SB section. He ^{had failed} ~~was accepted~~ to verify whether the balance noted in the form did tally with the SB ledger. The applicant has not scrutinised the details properly, submits the learned counsel for the respondents.

6. Considering the irregularities committed by the applicant we feel that ^{the} respondents have taken lenient view ^{of} with the matter and we find no reason to interfere with the impugned orders. Hence we feel that there are no merits in this OA and the same is liable to be dismissed.


(B.S. JAI PARAMESHWAR)
Member (Judl.)

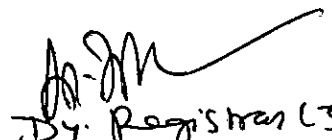
30.6.97


(R. RANGARAJAN)
Member (Admn.)

Dated: 30th June, 1997

(Dictated in Open Court)

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Dy. Registrar (3)

Copy to:-

1. Sr. Supdt of Post Offices, Chittoor Division, A.P.
2. The Post Master General, A.P.Southern Region, Kurnool.
3. One copy to Sri. Krishna Devan, advocate, CAT, Hyd.
4. One copy to Sri. N .R.Devaraj, Sr. CGSC, CAT, Hyd.
5. One copy to Hon'ble Mr. B.S.Jai Parameswar, JM, CAT, Hyd.
6. One copy to Deputy Registrar(A), CAT, Hyd.
7. One spare copy.

Rsm/-

17/8/97
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 30/6/97

ORDER/JUDGEMENT

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

in

O.A.NO.

91244

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

TI Court.

