

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

12

O.A. No. 575/94.

Dt. of Decision : 10-8-94.

Mr. G.R.Sreeshylam

.. Applicant.

Vs

1. The Union of India, Rep. by
the Secretary, Department
of Posts, Ministry of
Communications, Daktar Bhavan,
New Delhi - 110 001.

2. The Chief Postmaster General,
Andhra Circle,
Hyderabad - 500 001.

3. The Director of Accounts (Postal)
A.P.Circle, Abids,
Hyderabad - 500 001.

.. Respondents.

Counsel for the Applicant : Mr. J.V. Lakshmana Rao

Counsel for the Respondents: Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

THE HON'BLE SHRI A.V. HARIDASAN : MEMBER (JUDL.)

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

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O.A.No.575/94

O R D E R

[As per the Hon'ble Sri A.V. Haridasan, Member(J)]

In this application is filed U/s 19 of the A.T.Act, the applicant who retired on superannuation on 30-11-93 has prayed that the respondents may be directed to withdraw or cancel the charge sheet issued on 29-5-91. While the applicant was in service he was served with a Memo. of Charge dt.29-5-91 under Rule 14 of CCS (CCA) ^{msr} ^{having} Rules for the alleged conduct of incited agitation, gherao and Dharna against the Director of Accounts. The applicant having denied guilt, an enquiry was ordered ~~and~~ during the pendency of which applicant retired on superannuation. The grievance of the applicant is that the enquiry is unnecessarily delayed and protracted with the result he is deprived of his pension and other terminal benefits. According to the applicant, the enquiry should have been completed within a period of six months from the date on which charge sheet was issued and that, having been not done, an order directing the respondents to ~~cancel~~ ^{cancel} the charge sheet is called for.

2. The application was admitted and the respondents were given time to file reply. So far no reply has been filed. We have heard the counsel for the parties and have seen the application and the material papers. It is alleged in the application that out of six witnesses, as mentioned in the annexure to Memo. of Charge, only two have been examined and remaining are yet to be examined. We do not find any justifiable reason for the enquiry not being completed for such a

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long period. Since the applicant is a retired person it is absolutely unjust to keep him in suspended animation. Therefore, we are of the considered view that interest of justice demands that a direction may be given to respondents to complete the enquiry and pass final orders as expeditiously as possible.

3. In the result, the application is disposed of with a direction to the respondents to complete the disciplinary proceedings pending against the applicant and to pass final orders thereon within a period of three months from the date of communication of this order. Needless to say that in his own interest the applicant shall cooperate with the enquiry authority ^{and} for completion of the proceedings. There shall be no order as to costs.

Ansar
(A.B. Gorathi)
Member (A)

A. V. Haridasan
(A.V. Haridasan)
Member (J)

Dt. 10-8-1994
Open Court dictation

17.8.94
Deputy Registrar

Copy to:-

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1. Secretary, Department of Posts, Ministry of Communications and Information Technology, Daktar Bhavan, New Delhi-001.
2. The Chief Postmaster General, Andhra Circle, Hyderabad.
3. The Director of Accounts (Postal) A.P. Circle, Hyderabad.
4. One copy to Sri. J.V. Lakshmana Rao, advocate, Hyderabad.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyderabad.
6. One copy to Library, CAT, Hyderabad.
7. One spare copy.

Rsm/-

*31 page
for 11/8/94*

OA 575/94 ✓

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE MR.A.V.HARIDASAN: MEMBER(J) ✓

AND

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

Dated: 10/8/94 ✓

ORDER/JUDGMENT. ✓

~~M.M./R.P./C.P.NO.~~

C.A.NO.

575/94 ✓

T.A.NO.

(W.P.NO.)

Admitted and Interim Directions
Issued.

Allowed.

Dismissed of with directions.

Dismissed.

Dismissed as Withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

