

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 802/95

Date of Order : 23.3.98

BETWEEN :

M.Chenna Reddy

.. Applicant.

AND

1. The Supdt. of Post Offices,  
Peddapally Postal Division,  
Peddapally, Karimnagar Dist.

2. The Director of Postal Services,  
Office of the PMG, Hyderabad  
Region, Hyderabad.

.. Respondents.

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Counsel for the Applicant

.. Mr. P. Rathaiah

Counsel for the Respondents

.. Mr. N.V. Raghava Reddy

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CORAM :

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

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

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(As per Hon'ble Shri B.S.Jai Parameshwar, Member(J) X

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None for the applicant. The applicant was also absent when the OA was taken up for hearing. Heard Mr.N.V.Raghava Reddy, learned standing counsel for the respondents.

2. The applicant was working as Postal Assistant in the office of the Peddapally H.O. from 1990. It is stated that on 21.9.94 he booked a registered parcel addressed to the Camp Officer, Camp No.6 BHH Government Junior College (Girls), Guntur. The applicant was at the registration counter on that day. He handed over the parcel to Sri T.Charles Jayaraj another Postal Assistant for onward dispatch. Then the postal assistant suspected that the parcel was in a suspicious condition and it was tampered. The said Sri Jayaraj brought that to the notice of the Postmaster. The Post Master made enquiries with the sender. The sender suspected foul play in the post office after the booking of the parcel. Then the matter was reported to the police.

3. The police made enquiries and suspected foul play by the applicant. Then the FIR was registered on 21.9.94. The Circle Inspector of Police in his letter dated 3.10.94 informed R-1 of the involvement of the applicant in the criminal case of tempering the bundles containing the answer scripts of Intermediate examination and that the <sup>applicant was</sup> arrested on 2.10.94 and was released on bail on 5.10.94. It is stated that the applicant was placed under suspension from 7.10.94. R-1 on a review of the suspension of the applicant on 22.2.95 found it not desirable to continue the applicant under suspension and revoked the order of suspension.

4. It is submitted that the police have yet to file the charge

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sheet and the departmental action is also contemplated against the applicant.

3. The applicant has filed this OA to quash the order of Superintendent of Post Offices, Peddapally in Memo No. 1-9/10/94 dated 7.10.94 placing the applicant under suspension and to direct the Respondent No.1 to reinstate the applicant forthwith as the order of suspension is arbitrary, illegal, unjust and violative of principles of natural justice.

4. The respondents have filed a counter explaining the circumstances under which the applicant was placed under suspension.

5. When the OA was taken up for hearing the learned counsel for the respondents produced a letter dated 20.3.98 addressed to him by the Assistant Director of Postal Services to the effect that the applicant was placed under suspension on 7.10.94 and his suspension was revoked on 26.6.96. The police have submitted a charge sheet in C.C.No. 1327/96. It is stated that a memorandum of charge sheet was <sup>also</sup> issued to the applicant on 3.10.96 and the enquiry is in progress.

6. Since the suspension of the applicant has been revoked this OA does not survive for consideration. The case may be decided by the department in accordance with the law. The OA has become infructuous as the applicant <sup>has been</sup> reinstated into service.

7. In view of the above, the OA is dismissed. No costs.

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

23.3.98

( R. RANGARAJAN )  
Member (Admn.)

Dated : 23rd March, 1998

(Dictated in Open Court)

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Copy to:

1. The Superintendent of Post Offices, Peddapally Postal Division, Peddapally, Karimnagar District.
2. The Director of Postal Services, O/O PMG, Hyderabad Region, Hyderabad.
3. One copy to Mr.P.Rathiah, Advocate, CAT, Hyderabad.
4. One copy to Mr.N.V.Raghava Reddy, Addl. CGSC, CAT, Hyderabad.
5. One copy to HBSJP, (M)(J), CAT, Hyderabad.
6. One copy to D.R(A), CAT, Hyderabad.
7. One duplicate copy.

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 23/3/88

ORDER/JUDGMENT

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

in

O.A.NO. 802/85

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

DISMISSED FOR DEFAULT

ORDERED/REJECTED

NO ORDER AS TO COSTS

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