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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 1490/95

DATE OF JUDGMENT: 27-12-95.

BETWEEN:

C.Ganesh Chatty

... Applicant

And

1. The Postmaster General,
Kurnool Region, Kurnool.
2. The Director of Postal Services,
Kurnool Region, Kurnool.
3. The Senior Supdt. of Post Offices,
Chittoor Division, Chittoor.

... Respondents

COUNSEL FOR THE APPLICANT: SHRI S.Ramakrishna Rao,

COUNSEL FOR THE RESPONDENTS: SHRI K.Bhaskar Rao,
Ex/Addl.CGSC.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN
HON'BLE SHRI R.RANGA RAJAN, MEMBER (ADMN.)

.... 2.

OA 1490/95.

Dt. of Order: 27-12-95.

(Order passed by Hon'ble Shri Justice V.Neeladri Rao,
Vice-Chairman).

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This Original Application was filed praying for quashing the charge memos (i) No.(1)FD/4-1/92-93 dt.21.9.95 (ii) FD/4-1/A/92-93 dt.13-10-95 and (iii)FD/4-1/B/92-93 dt.14-10-95 issued by the Respondent No.3 by declaring them as arbitrary, illegal, unwarranted, frivolous and ~~issued with a~~ malafide ~~intention~~ to harrass the applicant.

2. The main contentions for the applicant are (i) they are belated and (ii) instead of issuing a single charge memo in regard to all the three charge memos, ~~separate~~ charge memos were issued and Enquiry Officers ~~are~~ at different places were appointed and further the applicant cannot engage a Single Defence Assistant in regard to all the enquiries for no one can appear for more than three Disciplinary cases and the defence assistant of the applicant has already assisting him in one enquiry pending against the applicant.

3. In view of the nature of the charges, the mere plea of belatedness cannot be a ground for quashing charge memos. Of course, ⁱⁿ view of the delay, any prejudice is caused to the applicant, he can raise that plea during the enquiry.

4. Shri C.H.Naidu, ASP, Tirupati, Sri Anjaneyulu, ASP, ^{ASP, Prod}, Nandyal, and Sri Amir Basha, are respectively appointed as enquiry officers in regard to the three charges referred to

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herein above.

5. On instructions from the concerned authority, Shri K.Bhaskar Rao, learned standing counsel for the respondents submitted that enquiries in all the three charges will be entrusted to a Single Enquiry Officer and they will not have any objection to allow one defence assistant for all the three enquiries. In view of the said submission, we feel that there is no need to consider as to whether all the three charge memos have to be clubbed in one charge memo.

6. In view of the statement for the Respondents, no order is necessary in this O.A. and accordingly it is dismissed at the admission stage itself. No order as to costs. //

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(R.RANGARAJAN)
Member (A)

Malav
(V.NEELADRI RAO)
Vice-Chairman

Amrit Singh
Dy. Registrar (Judl)

Dated: 27th December, 1995.

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Copy to:-

1. The Postmaster General, Kurnool Region, Kurnool.
2. The Director of Postal Services, Kurnool Region, Kurnool.
3. The Senior Superintendent of Post Offices, Chittoor Division, Chittoor.
4. One copy to Shri S.Ramakrishna Rao, Advocate, CAT, Hyd.
5. One copy to Mr.K.Bhaskar Rao, Addl. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

kku.

6A-1490/98

I COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

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

Dated: 29-12-1996

ORDER/JUDGMENT

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

O.A.No. 1490/98

T.A.No.

(W.P.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions.

Dismissed. At the Admit. Stage.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

