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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : AT HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 1638/95

DATE OF ORDER : 04-05-1998.

Between :-

M.Venkataiah

... Applicant

And

1. The Govt. of India
rep. by its Secretary,
Dept. of Communications,
P & T Board, Central Secretariat,
New Delhi.
2. The Sub-Divisional Inspector (Postal),
Podili, Post & Mandal,
Prakasam District.
3. The Director General,
Dept. of Posts, Dak Bhavan,
Sansad Marg, New Delhi.

... Respondents

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Counsel for the Applicant : Shri M. Subba Reddy

Counsel for the Respondents : Shri Kota Bhaskar Rao, CGSC

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CORAM:

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

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

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

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(Order per Hon'ble Shri R.Rangarajan, Member (J)).

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None for the applicant. The applicant was also absent when the case was heard. Heard Sri Kota Bhaskar Rao, learned standing counsel for the respondents.

2. Since the O.A. was filed during the year 1995 we are not inclined to adjourn the matter due to the absence of the applicant. Hence we decide to consider the matter on the available material in accordance with Rule-15(1) of CAT(P) Rules, 1987.

3. The applicant was working as ED Packer, Guttalagattu B.O.. He contested Zilla Praja Parishat and Mandal Praja Parishat Elections without securing necessary permissions. Hence he was served with a charge memo bearing No.PF/ED Packer/Gotlagattu dt.14-8-95. An enquiry was conducted into the charges and the Enquiry Officer held the charges prooved. Considering the report of the Enquiry Officer, the Sub-Divisional Inspector (Postal), Pdili, by his proceedings No.PF/ED Packers/Gotlagattu/95 dt.30-11-95 (Annexure A-1 to the OA) removed the applicant from service.

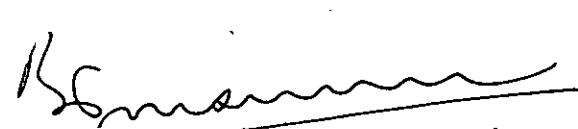
4. The respondents have filed the counter in this case. However, they have not traversed the legal points in the OA. As per section 10(ii) of the EDDA (Staff) Rules, 1964, the applicant has an opportunity of preferring an appeal against any of the penalties specified in ^{the} rules and the removal from service is specified under Rule-7(iv) of the above said rules.

5. The applicant has not preferred any appeal against proceedings dt.30-11-95.

6. Hence we feel it proper to give an opportunity to the applicant to submit an appeal, if so advised, to the proper appellate authority within a period of 30 days from the date of receipt of a copy of this order. Hence we issue the following directions :-

The applicant may if so advised, prefer an appeal to the proper appellate authority against the proceedings dt.30-11-95 (Annexure A-1 to the OA) within 30 days from the date of receipt of a copy of this order. If such an appeal is received within the period stipulated above, the appellate authority should consider and decide the appeal on merits without going into the question of limitation within a period of 2 months from the date of receipt of such an appeal. In case the applicant desires for a personal hearing, the same shall be provided to him.

7. With the above directions, the O.A. is disposed-of. No order as to costs.


(B.S.JAI PARAMESHWAR)
L.S.98 Member (J)


(R.RANGARAJAN)
Member (A)


Dated: 4th May, 1998.
Dictated in Open Court.

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Copy to:

1. Secretary, Dept. of Communication, P & T Board, Central Secretariat, New Delhi.
2. The Sub Divisional Inspector, (Postal), Podili, Post & Mandal, Prakasam District,.
3. The Director General, Dept. of Posts, Dak Bhavan, Sansad Marg, New Delhi.
4. One copy to Mr.M.Subba Reddy, ADvocate, CAT, Hyderabad.
5. One copy to Mr.Kota Bhaskara Rao, Addl.CGSC, CAT, Hyderabad.
6. One copy to B.R(A),CAT, Hyderabad.
7. One copy to HBSJP,M (J),CAT, Hyderabad.
8. One duplicate copy.

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II COURT

TYPED BY
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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: 4/5/98

ORDER/JUDGMENT

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

in

O.A.NO. 1638/95

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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