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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH:

AT HYDERABAD

O.A.No.430 OF 1997.

DATE OF ORDER: 25-11-1998.

Between:

N.Sayanna.

... Applicant

a n d

Union of India, represented by:

1. Chief Post Master General,
Andhra Pradesh Circle,
Hyderabad-500 001.
2. Director of Postal Services,
Office of Post Master General,
Kurnool Region, Kurnool-518 005.
3. The Superintendent of Post Offices,
Kurnool Postal Division,
Kurnool-518 001.

... Respondents

COUNSEL FOR THE APPLICANT :: Mr.K.S.R.Anjaneyulu

COUNSEL FOR THE RESPONDENTS:: Mr.K.Bhaskara Rao

CORAM:

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN)

A N D

THE HON'BLE SRI B.S.JAI PARAMESHWAR, MEMBER (JUDL)

: ORDER :

ORAL ORDER (AS PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.K.S.R.Anjaneyulu, learned Counsel for the
Applicant and Mr.K.Bhaskara Rao, learned Standing Counsel
for the Respondents.



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2. The applicant was issued with a memo of charge for certain irregularities by Charge Sheet bearing No. F3/1/89, dated: 16-3-1993 (Annexure.4, page.28 to the OA). The Article of Charge reads as below:-

" Article-I: That Shri N. Sayanna while functioning as BPM, Meedivemula B.O. account with Kurnool Camp 'B' S.O. during the period from 26-8-1976 has received the under mentioned money orders from Kurnool Camp 'B' S.O. for payment to the payees and shown them as paid to the payees on the dates noted against each in the B.O. journal maintained by him and sent them to account office showing in the B.O. account as having been paid."

3. The case was enquired into and it was held that the charges levelled in the above said Article is proved beyond doubt and the Enquiry Report is at page.35 to the OA. The applicant submitted his explanation after obtaining the Enquiry Report to the Superintendent of Post Offices, vide his explanation dated: 4-12-1995 (Annexure.6 to the OA). The Disciplinary Authority after going through the Enquiry Report and his explanation passed the Order of removal from service with immediate effect by his Proceedings No. F3/1/89, dated: 12-12-1995 (Annexure.1, page.19 to the OA). In the Appellate Order also the punishment was confirmed by Order No. ST-III/14-KNL/Meedivemula, dated: 22/25-4-1996 (Annexure.2, page.22 to the OA). The applicant had filed a Revision Petition dated: 18-7-96 (Annexure.3 to the OA) bringing out the alleged extraneous considerations in passing the removal order and also

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inconsistencies of the stand taken by various authorities in various stages.

4. This OA is filed to set aside the Memo No.F3/1/89, dated:12-12-1995 by which he was removed from service and the Appellate Order dated:22/25-4-1996, and for a consequential direction to reinstate the applicant into service with all consequential benefits.

~~application~~

5. When the Revision Order ~~is~~ is pending, it is better the applicant waits for the results of that Revision Order. A Court or Tribunal has got very limited powers in disciplinary cases. Hence, it is preferable that the applicant goes through the routine route of getting his case decided by the Disciplinary Authorities before approaching the Tribunal. As the ~~application~~ Revision Order ~~is~~ is pending, we are of the opinion that it should be disposed of within two months from the date of receipt of a copy of this Judgment by a Speaking Order giving reasons for acceptance or rejection of various contentions raised by the applicant in his Revision Petition. No doubt the applicant can approach this Tribunal if he is aggrieved by the Final Order to be passed by the Revisionary Authority.

6. With the above direction, the OA is disposed of. No costs.



(B.S.JAI PARAMESHWAR)

MEMBER (JUDL)

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(R.RANGARAJAN)

MEMBER (ADMN)

Dated: this the 25th day of November, 1998

Dictated to steno in the Open Court

DSN

Mr. / 271
DR

Copy to:

1. The Chief Postmaster General, A.P.Circle, Hyderabad.
2. Director of Postal Services, O/O Postmaster General, Kurnool Region, Kurnool.
3. The Superintendent of Post Offices, Kurnool Postal Division, Kurnool.
4. One copy to Mr.K.S.R.Anjaneyulu, Advocate,CAT, Hyderabad.
5. One copy to Mr.K.Bhaskara Rao, Addl.CGSC,CAT, Hyderabad.
6. One copy to D.R(A),CAT, Hyderabad.
7. One duplicate copy.

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II COURT

TYPED BY
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CHECKED BY
APPR VED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 25/11/98

ORDER/JUDGMENT

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

in

O.A. NO. 430/97

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

