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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1002/97

dt. 6-8-97

Between

G. Damodar

: Applicant

and

1. Union of India, rep. by
Chief Postmaster-General
Andhra Pradesh Circle
Hyderabad 500001

2. Postmaster-General
Hyderabad Region
Hyderabad 500001, and

3. Supdt. of Post Offices
Hanamkonda Divn.
Hanamkonda 506001

: Respondents

Counsel for the applicant

: Y. Appala Raju
Advocate

Counsel for the respondents

: N.R. Devaraj
Sr. CGSC

CORAM

HON. Mr. H. RAJENDRA PRASAD, MEMBER (ADMN.) *Q* *6/8*

OA.1002/97

dt.6-8-97

Judgment

Oral order (per Hon. Mr. H. Rajendra Prasad, Member (Admn)

Heard Sri Y. Appala Raju for the applicant and Sri N.R. Devaraj for the respondents.

1. The applicant in this OA is aggrieved by the service of termination notice No.B3/Jakaram dated 4-7-97 issued by Respondent-3.

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2. It is revealed by learned Senior Standing Counsel on instructions that the applicant was provisionally selected for the post of EDBPM subject to verification of his character and antecedent as per the normal approved procedure. Subsequent to the selection and provisional appointment of the applicant a report was received from the District Collector that the applicant had earlier secured an appointment in the Road Transport Corporation (RTC) on the basis of a memorandum of marks which on enquiry was found to have been altered or forged. Consequently, he had been dismissed from the service of Road Transport Corporation. This report was in response to a reference from Respondent-3 in connection with verification of antecedents of the applicant. In view of this adverse report, it was decided to terminate the services of the applicant by serving an advance notice of one month.

3. The learned counsel for the applicant submits that the report of the Collector is based on incorrect enquiries conducted by police authorities, and that there is absolutely no truth in the findings arrived at by the concerned authorities. He also emphatically submits that

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the arbitrary conclusions of this one-sided inquiry are going to haunt him for the rest of his life and that he would be debarred from securing any employment at any stage if the findings contained in the report of the Collector are allowed to remain unaltered. He would, therefore, like to seek a review of the findings by adopting appropriate means and through appropriate proceedings including an approach to the Collector himself. For this purpose he must be officially apprised of the reasons which led to the issuance of the impugned order.

4. This request is reasonable and merits acceptance. The report of the Collector, which was shown to the Court, is not a classified or confidential document. Respondent-3 may, therefore, supply to the applicant a copy of the communication received from the District Collector in this regard to enable the applicant, if he so chooses, to take further suitable measures in the matter. Such copy may be supplied within 15 days of the receipt of this order.

5. Sri Y. Appala Raju also contended that instead of issuing the notice of contemplated termination of services, the respondents should have ordered an inquiry under Rule 8 of the ED Agents (Service & Conduct) Rules. Considering the circumstances leading to the issuance of the impugned order as revealed by the respondents, I do not consider it necessary to direct any such inquiry under the said Rules.

6. I do not feel that any intervention is called for on behalf of the applicant in this case in view of the revealed facts. Further more the termination notice issued on 4-7-1997 has already run its course. Under the

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O.A.1002/97.

To

1. The Chief Postmaster General,
Union of India, A.P.Circle,
Hyderabad-1.
2. The Postmaster General,
Hyderabad Region, Hyderabad-1.
3. The Superintendent of post offices,
Hanamkonda Division, Hanakkonda-1.
4. One copy to Mr.Y.Appala Raju, Advocate, CAT.Hyd.
5. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
6. One copy to D.R.(A) CAT.Hyd.
7. One copy to HHRP.M.(A) CAT.Hyd.
8. One spare copy.

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~~22/8/97~~
T COURT

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE
VICE-CHAIRMAN

and

THE HON'BLE MR.H. RAJENDRA PRASAD:M(A)

Dated: 6 - 8 - 1997

ORDER/JUDGMENT

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

in

C.A.No. 1002/97

T.A.No.

(w.p.)

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No order as to costs. केन्द्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal

प्रेषण/DESPATCH

22 AUG 1997

हैदराबाद न्यायपीठ
HYDERABAD BENCH

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