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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1096/97

DATE OF ORDER : 26-08-1997.

Between :-

P.Madhan Mohan Reddy

... Applicant

And

1. The Asst.Superintendent of Post Offices, Hyderabad North Sub-Division, Hyderabad.
2. The post Master, SNIE Post Office, Sanath Nagar, Hyderabad.

... Respondents

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Counsel for the Applicant : Shri V.V.Narasimha Rao

Counsel for the Respondents : Shri N.R.Devaraj, Sr.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 R.Rangarajan, Member (A)).

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... 2.

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

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Heard Ms.Bharati for Sri V.V.Narasimha Rao, for the applicant and Sri N.R.Devaraj, counsel for the respondents.

2. The services of the applicant was terminated by the impugned order No.ASP(N)/Genl/97 Hyd dt.17-7-97 (ANNEXURE-IV page-10 to OA).

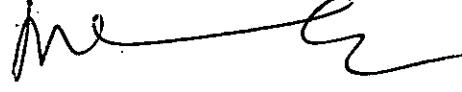
3. The applicant submits that he is a PTC Night Watchman in the Respondent No.2 office from 5-8-93 on payment of Rs.1,200/-. It was subsequently enhanced to Rs.1,500/-. His main contention is that his services were terminated without any show cause notice. This OA is filed to quash the proceedings of the 1st respondent bearing No. ASP(N)/Genl/97 Hyd-1 dt.17-7-97 with all consequential benefits.

4. When we asked the learned standing counsel for the respondents whether any show cause notice ^{was} ~~is~~ issued before passing the impugned order, it is stated that no such show cause notice ^{was} ~~is~~ issued. In view of principles of natural justice, we feel that a show cause notice to the applicant should ~~be~~ ^{have been} given before passing the impugned ~~order~~ ^{order}. Accordingly we set aside the impugned order but this will not stand in the way of the respondents to follow the extant rules in this connection, if the applicant is responsible for the theft.

5. Though the impugned order is set aside, respondents are free proceed in accordance with the rules after issuing a show cause notice. Thus the O.A. is ordered accordingly at the admission stage itself. No order as to costs.


B.S.JAI PARAMESHWAR
Member (J)
av1/ 26/87)

Dated:26th August, 1997.
Dictated in open court


(R.RANGARAJAN)
Member (A)


D.R(G)

Copy to:-

1. The Assistant Superintendent of Post offices, Hyderabad, North Sub-Division, Hyderabad.
2. The Post Master, SNIE Post Office, Sanath Nagar, Hyderabad.
3. One Copy to Mr. V.v.Narasimha Rao , Advocate ,CAT.Hyd.
4. One Copy to MR, N.R.Devaraj, Sr.CGSC,CAT.HYD.
5. One Copy to The D.R(A).
6. One Duplicate Copy .

Upr.

12/10/97
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TYPED BY CHECKED BY
COMPILED BY APPROVED BY
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. B. GARGAON : M. (M)

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

) Dated: 26-8-97

ORDER/JUDGEMENT

M. S. R. A. / C. A. NO. 1096/97

in

C. A. NO. 1096/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

