

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 1660/97.

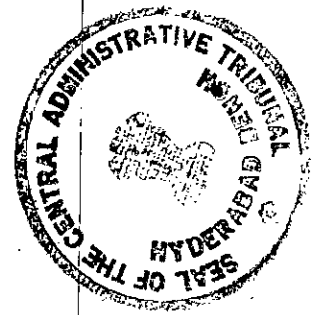
Dt. of Decision : 12-12-97.

A. Venkateswara Rao

.. Applicant.

Vs

1. The Postmaster General,
Vijayawada Region,
Vijayawada.
2. The Director of Postal Services,
Vijayawada Region,
Vijayawada.
3. The Sr. Supdt. of Post Offices,
Nellore Division,
Nellore.



.. Respondents.

Counsel for the applicant : Mr.S.Ramakrishna Rao

Counsel for the respondents : Mr.V.Bhimanna, Addl.CGSC.

CORAM:-

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

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

ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.))

Heard Mr.S.Ramakrishna Rao, learned counsel for the applicant and Mr.V.Bhimanna, learned counsel for the respondents.

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2

2. The applicant submits as follows:-

He was suspended by the impugned memo No.F3-4/93-94 dated 23-07-93 (Annexure-I). Subsequently a charge sheet was issued ^{by} the then R-3 and that charges ^{were} subsequently dropped. The Superintendent of Post Offices who took over from his predecessor revived the charges and issued the charge sheet by Memo No.F3-4/93-94 dated 31-11-96 (Annexure-III). It is stated that the present incumbent of R-3 is of the ~~same~~ opinion that he has ^{powers} ~~appears~~ to revive the same charges and that cannot be questioned.

3. The applicant submits that he ^{should} ~~was~~ before the issue of second charge sheet or the revival of the charge sheet he ~~was~~ ^{be} ~~not~~ reinstated ^{into service,} and thereafter fresh order ^{has to} ~~was~~ issued suspending him ^{from} ~~in~~ service. Hence he is of the opinion that the impugned suspension order dated 23-07-93 should be revoked and he should be put back to duty. He has filed a representation to R-2 in this connection dated 19-12-96 (Annexure-VII). It is stated that the said representation is yet to be disposed of.

4. This OA is filed to set aside the impugned memo No.F-34/93-94 dated 23-07-93 (Annexure-I) of R-3 declaring the prolonged suspension for over four years as arbitrary, illegal and unjustified and for a consequential direction to the respondents to reinstate the applicant with all the consequential benefits, in the interest of justice.

5. We have perused his representation addressed to R-2 dated 19-12-96 (Annexure-VII). As per concluding para in that representation it is seen that the applicant requests ^{for} ~~that~~ dropping of the charges framed against him and reinstate him in service. That representation is not ~~only~~ ^{only} for revoking the impugned suspension order dated 23-07-93. Hence the representation dated 19-12-96 cannot be taken as a representation for revoking only suspension.

6. Hence the applicant, if so advise, may now submit a detailed representation to R-2 for revoking the impugned suspension order dated 23-07-93 within a period of fortnight from the date of receipt of a copy of this order. If such a representation is received by R-2 as per the stipulated date then that representation should be disposed of within one month from the date of receipt of ~~a copy of~~ that representation in accordance with law.

7. With the above direction the OA is disposed of at the admission stage itself. No costs.

प्रमाणित प्रति
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न्यायालय अधिकारी/उप रजिस्ट्रार (न्यायिक)
Court Officer/Dy. Registrar
केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
हैदराबाद न्यायमंडल
HYDERABAD BENCH