

47

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1175/99

dt.4-7-2000

Between

K. Seetharamudu

: Applicant

and

1. Union of India, rep. by
Director General
Dept. of Posts
Dakbhawan, Sansad marg
New Delhi

2. Director of Postal Services
e/o PMG, Vijayawada

3. Sr. Supdt. of Post Offices
Vijayawada

4. Sri Lekanatham
Inquiry Officer/
Asstt. Supdt. of Post offices
HQ Gudur Division
Gudur Nellore Dist.

: Respondents

Counsel for the applicant

: Krishna Devan
Advocate

Counsel for the respondents

: AA Gabri, CGSC

Ceram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

Hon. Mr. R.Rangarajan, Member (Admn.)

D

Order

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Mr. Krishna Devan for the applicant and Mr. A.A. Jabri for the respondents.

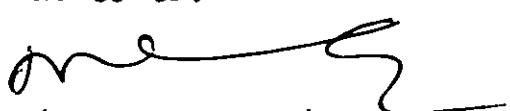
2. This OA is filed to set aside the proceedings No.ASP/inq.No.4/96 dated 5-4-1999 whereby the inquiry proceedings were conducted and proceedings dated 14-7-99 whereby the applicant was asked to submit his remarks on enquiry proceedings and further proceedings if any by declaring the action of R-4 in conducting the proceedings on the said dates even after taking notice of the physical incapacity, to attend, participate in the proceedings as he is afflicted with paralysis of Right hand, Right leg, slurring speech and fading memory as arbitrary, illegal and for a consequential direction to R-4 to treat the proceedings held so far as honest and to proceed further with the Inquiry proceedings as and when the applicant produces fitness certificate and participates in the inquiry.

3. The applicant is issued with a charge sheet for major penalty. It is stated that the applicant is physically unfit for attending the inquiry. To that effect the applicant has produced a private Doctor's certificate. If the respondents are not willing to accept Private Doctor's certificate they are at liberty to send a Departmental Doctor to examine the applicant and obtain necessary orders from that Doctor in regard to the status of health of the applicant to attend the inquiry. That doctor should also indicate the date by which the applicant will be able to attend the inquiry in case he cannot attend the inquiry immediately. That certificate should be send to the inquiry officer and the applicant should be advised to attend the

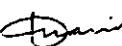
inquiry. On that date the inquiry proceedings may be conducted further and on that basis draw the final inquiry report. A copy of that report should be given to the applicant for his Defence statement and further action should be taken in accordance with law.

4. With the above directions the OA is disposed of.

No costs.

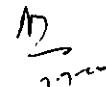


(R. Rangarajan)
Member (Admn.)



(D.H. Nasir)
Vice Chairman

Dated : 4 June, 2000
Dictated in Open Court



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH : HYDERABAD.

COPY TO

1. HONM
2. HRRN (ADMN.) MEMBER
3. HSSJP (JUDL.) MEMBER
4. D.R. (ADMN.) ✓
5. SPARE ✓
6. ADVOCATE
7. STANDING COUNSEL

~~1ST AND 2ND COURT~~

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR. JUSTICE D.H.NASIR
VICE-CHAIRMAN

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

THE HON'BLE MR.P.S.DAI PARAMESHWAR
MEMBER (JUDL.)

DATE OF ORDER

4/7/2000

MA/R/CP. NO.

IN

S.I. NO. 1175/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

C.P. CLOSED

B.R. CLOSED

(2 copies)

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDER/REJECTED

NO ORDER AS TO COSTS

