

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR**

ORIGINAL APPLICATION NO. 291/00607/2016

Date of Order: 28.7.2016

CORAM

**Hon'ble Mr. Sanjeev Kumar Kaushik, Judicial Member
Hon'ble Ms. Meenakshi Hooja, Administrative Member**

Dinesh Kumar Nainwal S/o Shri Mohan Lal Nainwal, aged about 23 years, resident of VPO Akbarpur, Tehsil Alwar, Distt. Alwar. Posted before termination at Alwar Division Postal Assistant, Post Offices.

.....Applicant

(By Advocate Mr. Ankit Sethi)

VERSUS

1. Union of India, through the Secretary, Ministry of Communication & Information Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi-110001.
2. Senior Superintendent of Post Offices, Alwar Division, Alwar.
3. Senior Superintendent of Post Offices, Ajmer Division, Ajmer.
4. Senior Superintendent of Post Offices, Bharatpur Division, Bharatpur.
5. Senior Superintendent of Post Offices, Jaipur City Division, Jaipur.
6. Senior Superintendent of Post Offices, Jaipur Rural Division, Jaipur Rural.

.....Respondents

By : Mr. V.D. Sharma, Advocate for
Mr. Rajendra Vaish, Advocate.

ORDER

(Per Hon'ble Mr. Sanjeev Kumar Kaushik, Judicial Member)

1. Heard.
2. Learned counsel for the applicant submits that service of the applicant has been terminated vide order dated 23.12.2015 (A-1) without giving any reason and without affording any opportunity of hearing to the applicant.

He further submitted that the issue involved in this case has already been decided by this Court vide order dated 25.5.2016 in OA No.291/00008/2016 and other connected OAs in the case of **Himmat Singh Yogi and others**

Vs. Union of India and others. He therefore, prays that this case can be disposed of in same terms.

3. There is no need to issue any notice to the respondents. However, on our asking Mr. V.D. Sharma, Advocate for Mr. Rajendra Vaish, Advocate, Standing counsel for the respondents. He did not oppose the submission of the learned counsel for the applicant that the dispute has indeed been decided in the case of Himmat Singh Yogi and others (supra).
4. Considering the above facts and ad idem between the parties, this OA is allowed in the same terms as in the case of Himmat Singh Yogi & others (Supra). The operative part thereof reads as under:-

“17. It appears through the vigilance report and after hearing the counsels for the parties that there might be involvement of senior officers of the department also, it is, therefore, necessary to weed out all of these persons and take appropriate action against them, which shall also be taken within the aforesaid period.

18. There will be mandate to the CVC and CBI to treat this matter as very urgent as question of livelihood of so many persons is there, and integrity to be maintained in Government servant is a question, therefore, urgent action will be required to be taken by the CVC and CBI in the matter within a period of four months' time as sought by the respondents. It is to be noted that following orders of other Benches sufficient time is already granted.

19. Besides, there may not be any difficulty in this matter as after having gone through the vigilance report it appears that there might be involvement of senior officers of the department itself and most of the issues are taken care of.

20. It is made clear that if name of anyone of the applicants is found in such a racket then notice(s) shall be issued to them within 15 days after completion of four months' time already granted to the CVC and CBI for completion of enquiry and appropriate action may be taken against them so that justice may be done. For those applicants who are found innocent in

the matter, their rights of employment and consequences thereof shall follow within a period of four months for today as aforesaid.

21. With these observations and directions, all the Original Applications are disposed of with no order as to costs.

22. Registry shall place original copy of this order in OA No.291/00008/2016 and certified copies in other connected OAs."

5. The O.A. shall stand disposed of accordingly in above terms.


(Ms. Meenakshi Hooja)
Member (A)


(S.K.Kaushik)
Member (J)

Adm/