

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/00077/2016

DATE OF ORDER: 03.06.2016

CORAM

HON'BLE DR. K.B. SURESH, JUDICIAL MEMBER
HON'BLE MS. MEENAKSHI HOOJA, ADMINISTRATIVE MEMBER

Suresh Jakhar S/o Shri Desraj Jakhar, aged about 22 years, R/o Village Ranasar, Dhani Dullai, Post Nayabas (Neemkathana), Distt. Sikar.

(Applicant was working on the post of postal Assistant in Sikar Division).

....Applicant

Mr. Tara Chand, proxy counsel for
Mr. Manvendra Singh, counsel for the applicant.

VERSUS

1. Union of India through the Secretary, Ministry of Communication & Information Technology, Department of Posts, Dak Bhawan, Sansad Marg, New Delhi - 110001.
2. Chief Postmaster General, Rajasthan Circle, Jaipur.
3. Superintendent of Post Offices, Sikar Division, Sikar.

....Respondents

Mr. S.S. Sharma, counsel for respondents.

ORDER (Oral)

This Original Application has been filed against the termination order dated 23.12.2015 (Annexure A/1) by which the services of the applicant have been terminated in pursuance of the proviso to sub-rule (1) of rule 5 of the Central Civil Services (Temporary Service) Rules, 1965 by the Superintendent of Post Offices, Sikar Division, Sikar.

2. When the matter came up for consideration and hearing, it was brought to the notice of the Tribunal that OA No. 291/00008/2016 (Himmat Singh Yogi & Ors. vs. Union of India &

Ors.) and connected OAs, which are similar to the matter in the present O.A., have already been disposed of vide order dated 25.05.2016 by this Bench of the Tribunal wherein the following directions were given: -

"15. After having heard the counsels for both the sides and examining the matter in a great detail, we hereby issue the following directions:

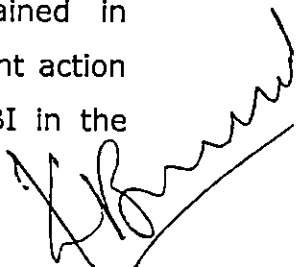
(i) The respondents will refer the matter to the CVC and CBI immediately and forthwith with all relevant documents /record and position of the matter, so that they can immediately commence the preliminary enquiry. There will be a time of three months from today for completion of preliminary enquiry so that the clouds can be shifted out from innocent.

(ii) If the respondents are unable to find out the involvement of any of the applicants in all these dealings then it will be deemed that the applicants are innocent of the charges leveled against them and in that case at the end of three months period as granted, the applicants will be reinstated back in service.

16. At this stage, learned counsel for the respondents submits that at least four months' time may be granted for completion of the enquiry by the CVC and CBI. It is allowed.


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.

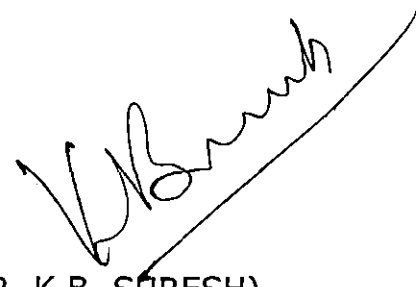
18. There will be a mandate to the CVC and CBI to treat this matter as very urgent as question of livelihood of so many persons is there, and integrity to be maintained in Government servant is a question, therefore, urgent action will be required to be taken by the CVC and CBI in the



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 from 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."
3. In view of the above directions in the aforesaid OAs, the present Original Application, being similar, is disposed of in terms of the above same directions.


(MS. MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER


(DR. K.B. SURESH)
JUDICIAL MEMBER