

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

O.A.No. 140 of 1996 of 1998

DATE OF DECISION.....15.3.1999
(AT IMPHAL)

Shri H. Budhachandra Singh (PETITIONER(S))

Mr M. Chanda (Amicus Curiae) ADVOCATE FOR THE
PETITIONER(S)

-VERSUS-

Union of India and others RESPONDENT(S)

Mr B.C. Pathak, Addl. C.G.S.C. ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE MR JUSTICE D.N. BARUAH, VICE-CHAIRMAN

THE HON'BLE MR G.L. SANGLYINE, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH

Original Application No.140 of 1998

Date of decision: This the 15th day March 1999

The Hon'ble Mr Justice D.N. Baruah, Vice-Chairman

The Hon'ble Mr G.L. Sanglyine, Administrative Member

Shri H. Budhachandra Singh,
Sub-Post Master (since removed),
Saikul Sub Post Office,
Saikul, Manipur.

.....Applicant

By Advocate Mr M. Chanda as Amicus Curiae.

- versus -

1. The Union of India, represented by the
Chief Postmaster General,
North Eastern Circle, Shillong.

2. The Chief Postmaster General,
North Eastern Circle, Shillong.

3. The Director Postal Services,
Mizoram, Aizawl, represented by the
Director, Postal Services,
Manipur, Imphal.

.....Respondents

By Advocate Mr B.C. Pathak, Addl. C.G.S.C.

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O R D E R

BARUAH.J. (V.C.)

The applicant has filed this application seeking an order to set aside the Annexure A/1 order of removal dated 13.9.1996 passed by the Director Postal Services, Mizoram, Aizawl and for direction to the respondents to reinstate the applicant into service.

2. The applicant submitted Annexure A/8 Appeal dated 7.10.1996 before the Appellate Authority against the Annexure A/1 order of removal dated 13.9.1996. At the time of filing of this application, according to the applicant, the appeal was not disposed of. Hence the present application.





3. In due course the respondents have entered appearance and filed written statement. In the written statement the Chief Postmaster General, North Eastern Circle, Shillong- 2nd respondent has stated that the Appellate Authority set aside the punishment of removal from service as imposed vide Director Postal Service, Aizawl Memorandum No.F1-78/8/96-97 dated 13.9.1996 and remitted the case back to the Disciplinary Authority for de novo proceedings against the applicant from the stage of action on the enquiry report and ordered that the official (applicant) would be deemed to be under suspension from the date he was removed from service and thus, according to the 2nd respondent, the appeal of the applicant dated 7.10.1996 was disposed of.

4. We have heard Mr M. Chanda, learned Amicus Curiae on behalf of the applicant and Mr B.C. Pathak, learned Addl. C.G.S.C. Mr Chanda submits that in view of the statements made in the written statement the application has become infructuous.

5. In view of the above the application is dismissed as being infructuous.

6. Mr M. Chanda, learned counsel, on our request, assisted this Tribunal as Amicus Curiae. We are grateful to him.


(G. L. SANGLIANE)
ADMINISTRATIVE MEMBER


(D. N. BARUAH)
VICE-CHAIRMAN