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CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JA BALPUR

Original Application No. 925 of 2005

Jabalpur this the 5th day of October, 2006.

Hon'ble Dr.G.C.Srivastava, Vice Chairman
Hon'ble Shri A.K.Gaur, Judicial Member

Panchanan Shukla, S/o Shri Jamuna Prasad Shukla, Aged
about 65 years, R/o Vill. & Post – Kharwai, Distt.Raisen

-Applicant

(By Advocate – Shri V.Tripathi)

VERSUS

1. Union of India through its Secretary, Ministry of
Communication, Deptt of Post, New Delhi.

2. The Chief Post Master General, MP Circle, Bhopal.

3. The Director, Postal Services (Head quarter) MP
Circle, Bhopal.

4. The Superintendent of Post Offices, Vidisha Division,
Vidisha.

-Respondents

(By Advocate – Shri S.K.Mishra)

ORDER(Oral)

By A.K.Gaur, JM.-

By means of this Original Application, the applicant has
claimed the following main relief :-

“(ii)Set aside the order dated 31.5.2004 Annexure A-1,
order dated 23/25.11.2004 Annexure A-2.

(ii)(a) Set aside the order dated 6.6.2005 Annexure A-9

(iii) Direct the respondent to reinstate the applicant with full
back wages along with all consequential benefits”.

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2. During the pendency of the OA, an application has also been filed seeking amendment to the effect that revising authority has rejected the revision-petition of the applicant, vide order dated 6.6.2005 (annexure A-9), without application of mind. Accordingly, the said order was also challenged in this OA.

3. The brief facts of the case are that the applicant was initially appointed on 6.3.1997 as Gramin Dak Sewak Branch Post Master in Kharwai post office, district Raisen. The applicant was served with a charge sheet dated 1.10.2003 (annexure A-4) wherein it was alleged that on 17.7.2002 the applicant received Rs.500/- from one Shri Radhe Lal S/o Shri Ratan Lal Prajapati to deposit the same in his recurring account no. 218847. However, the same was not kept in the government account and the said amount was utilized by the applicant for his own cause. Immediately after receiving the charge sheet the applicant submitted his reply on 15.10.2003 (annexure A-5). In the said reply he has categorically stated that due to loss of deposit slip the amount of Rs.500/- was not taken into account of the government ~~account~~. The applicant also submitted that he had no intention to defalcate the government money. When he realized the mistake, he deposited the amount along with interest in the head post office, Raisen. Having not satisfied with the reply of the applicant, a departmental inquiry was instituted against the applicant. Because of the admission of the applicant by means of Annexure-A-6 to the OA, no full-fledged departmental inquiry was held.

4. Heard the learned counsel of parties and carefully perused the pleadings available on record.

5. On the face of admission of guilt made by the applicant as mentioned in para 3 above, we are of the considered view that once the applicant has admitted his guilt, his case is fully proved. In these circumstances, we do not find any ground to interfere with the impugned orders. The Hon'ble Supreme Court in the case of

State Bank of India and another Vs. Bela Bagchi and others,
(2005) 7 SCC 435 has clearly observed as under:

“A bank officer is required to exercise higher standards of honesty and integrity. He deals with money of depositors and the customers. Every officer/employee of the bank is required to take all possible steps to protect the interest of the bank and to discharge his duties with utmost integrity, honesty, devotion and diligence and to do nothing which is unbecoming of a bank officer. Good conduct and discipline are inseparable from the functioning of every officer/employee of the bank. As was observed by this Court in Disciplinary Authority-cum-Regional Manager v. Nikunja Bihari Patnaik, (1996) 9 SCC 69 : 1996 SCC (L&S) 1194, it is no defence available to say that there was no loss or profit which resulted in the case, when the officer/employee acted without authority”.

6. In view of the aforesaid decision of the Hon'ble Supreme Court and the observations made above, we are of the considered view that no case of our interference is at all warranted. In view of this, the OA is dismissed. No order as to costs.

A.K. Gaur
(A.K. Gaur)
Judicial Member

G.C. Srivastava
(Dr. G.C. Srivastava)
Vice Chairman

rkv

पूराकाज सं ओ/न्या.....जबलपुर, दि.....
प तिलिपि अ जो शिव:-

- (1) सचिव, उच्च न्यायालय नगर एग्जिक्यूशन, जबलपुर
 - (2) आदेशक को/जीएसी/कु.....के काउंसल
 - (3) प्रत्यक्षी को/जीएसी/कु.....के काउंसल
 - (4) कंसलर, री.प.सी. जबलपुर न्यायाधीश
- सूचना एवं आवश्यक कार्यवाही हेतु
उप रजिस्ट्रार

V. Tripatli
S. K. Mishra
AN 700

ISSUED
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