CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

(CAMP AT INDORE)

Original Application No. 698/2001

Indore, this the 20th day of April, 2004

Hon'ble Shri M.P.Singh, Vice Chairman
Hon'ble Shri Madan Mohan, Member (J)

D.B.Dohare s/o Shri R.K.Dohare
Aged 54 years, Supervisor,
R/o P-1, P & T Colony,
Kasturba Nagar, Ratlam (MP).   ...Applicant

(By Advocate : None)

                        -versus-

1.   Union of India through
        Secretary,
        Department of Posts,
        Ministry of Communication,
        Sansad Marg, New Delhi.

2.   Chief Post Master General,
        M.P.Circle, Bhopal.

3.   Post Master General,
        Indore Region, Indore.

4.   The Superintendent of Post Office,
        G.P.O., Ratlam.

5.   Mr. Ahmed Ali s/o Shri Ahasan Ali,
        Aged 55 years, P.M.G. Office,
        Indore (MP).   ...Respondents

(By Advocate: Smt. S.R.Waghmare)

                    O R D E R

By Madan Mohan, Member (J):

        By filing the O.A. the applicant has sought the following

main reliefs:-

        i) That orders Annex.A/1,A/2, A/3 dealing with stoping
            increment o f the applicant be kindly quashed.

        ii) That the respondents be kindly directed to please the
            increment to the applicant.

2.   The brief facts of the case are that the applicant was

working as Supervisor S.B.C.O. (Saving Bank Control Organisation).

He was promoted from the post of U.D.C. to Supervisor on 19.9.1984.

He was chargesheeted on 30.12.1998 for the following charge:

"That the applicant has availed one week leave on false medical certificate"

It was told that the applicant was on medical leave for one week from 22.12.1997 to 28.12.1997. Dr. Pankaj Sharma has certified that the applicant was suffering from P.T.B. and required one week rest. The applicant replied the chargesheet denying the allegation of producing false medical certificate. He further submitted that the respondent no. 5 was prejudiced due to recovery of lacs of rupees for committing serious irregularities during the tenure of respondent no. 5. The applicant preferred an appeal to respondent no 2 who, after considering the appeal, reduced the punishment from stopping one increment of 2 years to stoping one increment for 1/2 years.

3.   Since none is present on behalf of the applicant and the matter is old one pertaining to the year 2001, we propose to dispose of this O.A. by invoking the provisions of Rule 15 of C.A.T. (Procedure) Rules, 1987. We have heard the learned counsel for the respondents.

4.   It is argued on behalf of the respondents that the medical certificate filed by the applicant is false. It is issued from Ratlam while the applicant on the date of issue of such certificate was in Indore and secondly it is obtained from a private doctor. The applicant was given due opportunity of hearing before passing the impugned orders and vide order dated 10.12.1999 (A/3) the penalty was reduced for withholding of increment for six months instead of two years. She further argued that the said order is a detailed and speaking order having sufficient reasons.

5.   After hearing the learned counsel for the respondents and perusing the record, we find that the applicant has filed alleged medical certificate of one Dr. Pankaj Sharma, R.M.P. from Ratlam while on that very day he was said to be present in

Indore. We have also perused the impugned orders particularly the order dated 10.12.1996 passed by the Director, Postal Services, Indore Region, Indore which is a very detailed order in which each and every fact has been discussed with reasons and thepenalty is reduced to a very minor penalty

i.e. stoppage of on e increment for six months without cumulative effect.

6.   In the facts and circumstances of the case, we find no good ground to interfere with the impugned orders. The O.A. is, therefore, bereft of merit and the same is accordingly dismissed. No costs.

(Madan Mohan)
Member (J)

(M.P.Singh)
Vice Chairman

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