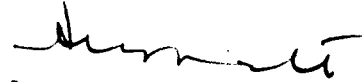


CENTRAL ADMINISTRATIVE TRIBUNAL, JABAL PUR BENCH
JABALPUR

Oral

~~pro delivery~~ order in O.A.No. 525/1999

is sent herewith for consideration pl.


(Anand Kumar Bhatt)
Administrative Member

Hon'ble Shri D.C./Verma, Vice Chairman(J)-

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 525 of 1999

Jabalpur, this the 9th day of July, 2003.

Hon'ble Mr. D.C. Verma, Vice Chairman (Judicial)
Hon'ble Mr. Anand Kumar Bhatt, Administrative Member

Sarjun Singh Paikara S/o Late
Ramlal Paikra, aged about 27 years
R/o Village- Bhendri Post
Bhendri PS-Rajpur Tehsil
Ambikapur, District-Sarguja, M.P.

APPLICANT

(By Advocate - Shri R.S. Saini)

VERSUS

1. Union of India, through the
Secretary, Department of Posts,
New Delhi India,
2. The superintendent, Post Offices,
Raigarh Division, Raigarh, M.P.
496 001.
3. Director, Postal Services,
Raipur Circle, Raipur, MP 492 001.

RESPONDENTS

(By Advocate - Shri P. Shankaran)

O R D E R (ORAL)


By Anand Kumar Bhatt, Administrative Member -

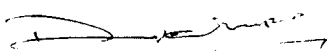
This O.A. is against the order of dismissal given by the disciplinary authority on 4.3.1998 (Annexure-A-6). The appeal against the said order of dismissal was also rejected vide order dated 2.6.1999 (Annexure-A-8).

2. Facts in brief are that the applicant was working as Branch Post Master in the Branch Post Office Bhendri Branch, Tehsil Ambikapur, District Sarguja, then in M.P. It was alleged that on 24.11.1995 the applicant took a total of Rs. 843 from different people for opening

new Savings Bank Accounts but he did not immediately deposit the money in the Government account. This amount was ultimately deposited by the applicant on 2.5.1997 which came with interest to Rs. 1006/-. The defence of the applicant is that the day the amount was received by the applicant, he was called by the police for enquiry in some other case and he was detained for a few days. This fact of non-deposit has been accepted by the applicant in his representation dated 24.2.1998 (Annexure-A-5). This was also admitted by the applicant before the enquiry officer on 24.1.1998 (Annexure-A-3).

3. Counsel for both the parties were heard at length. The facts of the case are not disputed and the applicant has also in his statement before the enquiry officer as well as in his representation has accepted that : (1) he received the amounts at the counter, (2) he could not make entry in respect of these amounts in the relevant register, and (3) he did not deposit the money immediately in the Government account. Thus all facts constituting the misconduct culminating in the penalty are accepted by the applicant. However, it is not understood why there was a long delay of almost one and half years in depositing the money even if he was detained for a few days by the police. He could have easily deposited the money as soon as he came back after the enquiry from the police station as stated by the applicant. There do not seem to be any extenuating circumstances by which the relief can be given to the applicant. The enquiry conducted and the orders passed by the disciplinary and appellate authorities do not suffer from any defect. The O.A. is accordingly dismissed. No costs.


(Anand Kumar Bhatt)
Administrative Member


(D.C. Verma)
Vice Chariman (Judicial)

पूरांकन सं ओ/न्या.....जबलपुर, दि.....

पतिविधि अन्तर्गत:-

(1) सविन, 1900 मन्मथपुर नगर पंचायत, जबलपुर

(2) आचार्य, 1900 मन्मथपुर नगर पंचायत, जबलपुर के काउंसल

(3) आचार्य, 1900 मन्मथपुर नगर पंचायत, जबलपुर के काउंसल

(4) आचार्य, 1900 मन्मथपुर नगर पंचायत, जबलपुर के काउंसल

सूचना एवं आवश्यक कार्यवाही हेतु

न्याय निदेश

14-7-73

R. S. Saini Ad.
P. Shankaran, Ad.

Issued
on 14-7-73
BS