

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT COURT SITTING AT BILASPUR (CHHATISGARH)
Original Application No.71 of 2000

Bilaspur, this the 24th day of September, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri Anand Kumar Bhatt, Administrative Member

Mohan Singh Thakur S/o Shri
Shiv Dayal Singh Thakur, age about
51 years, Permanent Resident of
Vill/PO:Dhansir, Thana/Tehsil:
Bilaigarh, Distt.Raipur(M.P.)
Advocate Shri
(By/ S.T.H.Rizvi) Applicant

Versus

1. Union of India, Represented
through Secfetary, Ministry of
Communications, Government of
India, Deptt.of Posts, New Delhi.
2. Chief Postmaster General, M.P.Circle,
Bhopal.
3. Postmaster General, Raipur Region,
Raipur.
4. Director Postal Services, O/o P.M.G.
Raipur Region, Raipur.
5. Senior Supdt.of Post Offices,
Raipur Division, Raipur
6. Shri M.R.Kawadkar, Inquiry Officer
& S.D.I.(P.)Dhamtari Sub Division.
Dhamtari.

..... Respondents

Shri
(By/Om Namdeo, Advocate).

O R D E R (ORAL)

Justice V.S. Aggarwal-

The applicant by virtue of the present application
seeks quashing of the orders passed removing the applicant
from EDBPM. He was working at Bilaigarh in Raipur Division.

2. We are not dwelling into all the detailed facts in
the present matter. The reason being that opinion expressed



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otherwise may subsequently be embarrassing for either party. During the course of submission we were informed and it was not disputed that certain evidence had been recorded in the preliminary enquiry. However, before the enquiry officer ^{revised} those witnesses had totally ~~recanted~~ from their earlier recorded version. They had not raised their accusing finger during the enquiry at the applicant. Earlier statements so recorded had not been put for proof during the enquiry. When such is the fact, then the impugned orders necessarily cannot be sustained because in accordance with law there has to be ^{some} material on the record ^{which} if it has to be read against the applicant. Resultantly, on this short ground alone, without expressing any opinion on the merits of the case, we quash the impugned order and remit the same back to the disciplinary authority, who may if so advised appoint a fresh enquiry officer ^{to proceed} in accordance with law. The OA is disposed of.

Anand Kumar Bhatt
(Anand Kumar Bhatt)
Administrative Member

V.S Aggarwal
(V.S Aggarwal)
Chairman

rkv.

मुख्यमंत्री राज्यपाल..... जलमुक्ति.....

राज्यपाल के कार्यालय, जलमुक्ति

(1) राज्यपाल के कार्यालय, जलमुक्ति, जलमुक्ति

(2) राज्यपाल के कार्यालय, जलमुक्ति, जलमुक्ति

(3) राज्यपाल के कार्यालय, जलमुक्ति, जलमुक्ति

(4) राज्यपाल के कार्यालय, जलमुक्ति, जलमुक्ति

मुख्यमंत्री राज्यपाल के कार्यालय

S T H. Rizvi, Ad. Officer
Om nambiar, Ad. Officer

Shafiq
Shafiq
6/10/03

Feeed
2/10/03