

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Dated : This the **23rd** day of **July** 2018

Original Application No. 330/01021 of 2015

Hon'ble Mr. Justice Bharat Bhushan, Member (J)

Hon'ble Mr. Gokul Chandra Pati, Member (A)

Chandra Bali Yadav, S/o late Shri Ram Murat Yadav, R/o SPM Samiriya (Under Suspension), Village Othajhanpur, Post-Nagar Bazar, District, Basti.

. . .Applicant

By Adv : Shri Ashish Srivastava

V E R S U S

1. Union of India through Secretary, Ministry of Post, Department of Post and Telecommunication, New Delhi.
2. Director Postal Services, Gorakhpur Region, Gorakhpur.
3. Superintendent of Post Offices, Basti Division Basti 270001.

. . .Respondents

By Adv: Shri A.K. Rai (absent)

O R D E R

By Hon'ble Mr. Justice Bharat Bhushan, Member – J

Heard Shri Ashish Srivastava, learned counsel for the applicant. No one is present for the respondents.

2. It appears that the inquiry was initiated against the applicant after suspending him vide order dated 24.06.2014 passed by respondent No. 3 under Sub Rule 1 of Rule 10 of CCS (CCA) Rules, 1965. A charge sheet was submitted against the applicant. Learned counsel for the applicant has submitted that the department is relying upon as many as 21 documents, list of which has been annexed as Annexure No. 3. Yet copies of these documents have not been supplied to him despite repeated request. Prima facie it appears that department is relying upon these documents therefore it is necessary for the applicant to receive copies of the said documents for effective defence against departmental proceedings.

3. Counter affidavit says that list of documents and witness on the basis of which charges were prepared have already been supplied to the applicant. The department has further proposed to provide documents for inspections etc. during open inquiry.

4. Learned counsel for the applicant submitted that it is necessary for department to provide these documents alongwith charge sheet to the employee. These documents are very essential to contest his case.

5. We have very carefully gone through the case and we believe that the copies of the relied upon documents should be given to the delinquent employee as early as possible. OA infact, does not contain serious dispute at this stage. The applicant has merely sought documents which are relied upon by the department during the course of the inquiry. No useful purpose would be served by keeping this OA pending.

6. We hereby, finally dispose off this OA with the direction to the department to provide all the documents relied upon by the department in the inquiry. If some documents are bulky and copies are not easily available than delinquent employee should be provided reasonable opportunity to inspect these documents in accordance with rules. We hope that the department will conclude the inquiry as early as possible in accordance with prevailing rules. Applicant is directed to provide all necessary cooperation to the Inquiry Officer for early conclusion of this inquiry. The OA is disposed off accordingly. No cost.

(Gokul Chandra Pati)
Member (A)

(Justice Bharat Bhushan)
Member (J)

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