

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00368/2017

DATED THIS THE 8TH DAY OF OCTOBER, 2018

HON'BLE SHRI DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV. SANKAR, MEMBER (A)

Bhojappa,
Aged about 61 years,
S/o Late Mariyappa,
Ex Postal Assistant,
Gangavathi MDG, Koppal HO,
Residing at
No.29, Prakashappa Compound,
Bus Stand Road,
Gangavathi 583227

(By Advocate Shri B.Venkateshan)

vs.

1. The Union of India,
Represented by
The Secretary,
Department of Posts,
Dak Bhavan,
New Delhi – 110 001.

2. The Postmaster General,
North Karnataka Region,
Dharwad 580001.

3. The Superintendent of Post Offices, Gadag Division, Gadag 582101. ...Respondents.

(By Shri Dilip Kumar ... ACGSC)

ORDER (ORAL)

DR. K.B. SURESH, MEMBER (J):

1. Heard. Apparently, the charge sheet was framed against the applicant clearly indicating the misappropriation which ran into lakhs of heavy amount to which the applicant gave a reply indicating that because of his bad circumstances and ignorance it has happened and most of the money he has paid back. He admitted his lapses and prayed for a lenient view to be taken in the matter. However, the concerned party was not agreeable to that much leniency.

2. After having heard the learned counsels and gone through the records carefully, we do not think that any infraction can visit the stand taken by the respondents. The applicant had admitted to a defalcation of money and that he had paid back only a portion of it. Therefore, there does not appear much merit in the contention raised by the applicant. He would say blankely that he is not well and his wife aged 52 years is also not well. No concrete evidence is available to take a special mercy in the case of the applicant. Therefore, OA fails. Dismissed. No order as to costs.

(CV. SANKAR)
MEMBER (A)

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(DR. K.B. SURESH)
MEMBER (J)

Annexures referred to by the applicant in OA No. 368/2017

Annexure-A1: Copy of memo dated 13.5.2015.

Annexure-A2: Copy of SPOs memo dated 22.3.2012.

Annexure-A3: Copy of SPOs memo dated 19.4.2012.

Annexure-A4: Copy of IO's daily order sheet dated 30.5.2012.

Annexure-A5: Copy of applicant's letter dated 9.6.2015

Annexure-A6: Copy of IO's report dated 31.5.2012.

Annexure-A7: Copy of DPS memo dated 8.8.2012.

Annexure A8: Copy of applicant's appeal dated 19.8.2013

Annexure A9: Copy of APMGs memo dated 27.5.2015

Annexures with reply statement:

Annexure R-1: Copy of applicant's statement dated 30.5.2012.