

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00446/2017

DATED THIS THE 16TH DAY OF MARCH, 2018

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

HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)

Sri J. Mukundan Pillai,

Age: 51 years,

S/o Sri Janardhanan Pillai,

Office Superintendent,

(under the orders of compulsory retirement)

Jawahar Navodaya Vidyalaya (JNV)

Kyarakoppa Road,

Dharwad District: 580 007.

With present postal address as:

Godikoppa, Malgi Post,

Uttara Kannada District 581 346.

.....Applicant

(By Advocate Shri P.A. Kulkarni)

Vs.

1. Union of India,

To be represented by its Secretary,

Ministry of Human Resources Development

(Department of School Education and Literacy),

Government of India,

North Block, New Delhi – 110 001.

2. The Commissioner

Navodaya Vidyalaya Samiti,

B 15, Institutional Area, Sector 62,

Noida: 201307

District Gautam Budh Nagar (U.P)

3. The Deputy Commissioner

Navodaya Vidyalaya Samiti,

Hyderabad Region,

N.L.I. Buildings, Nalagandla Road,

Post & Village: Gopanpally,

Rangareddy District,

Hyderabad: 500 107, Telangana State.

4. The Principal,

Jawahar Navodaya Vidyalaya (JNV),

Kyarakoppa Road,

Dharwad District: 580 007

....Respondents

(By Shri M. Rajakumar, Senior Central Government Counsel)

O R D E R (ORAL)

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

Heard. Basically two charges are levelled against the applicant. One is that he enticed the wife of another employee to elope with him and was living with her in some place where apparently when the police found them he said that she was loitering in the bus stand and he brought her to the house. But apparently the son had also found her in the house concretizing the legal position. The applicant was found loitering in the campus in an inebriated condition earlier also and was twice censured. He was seen to repeat this again also, for these grounds also action was taken against him.

2. We find that he had been given all opportunities and he had availed all opportunities of defence. Evidence was urged before the Inquiry Officer which was found favour with and thereafter the Disciplinary Authority had passed appropriate order. After going through the records and having heard both the counsels we are of the view that natural justice have been observed and all opportunities have been granted and the infraction have been proven to the limit which is required in such matters.

3. Therefore there is no merit in the OA. The OA is dismissed. No order as to costs.

(PRASANNA KUMAR PRADHAN)

(DR.K.B.SURESH)

MEMBER (A)

MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00446/2017

Annexure A1 Copy of Memorandum of charges dated 15.06.2016

Annexure A2 Copy of written statement dated 13.07.2016 of the applicant

Annexure A3 Copy of the representation dated 25.03.2017 to second show cause notice

Annexure A4 Copy of the punishment order dated 25.07.2017

Annexure A5 Copy of the relieving order dated 31.07.2017

Annexures with reply statement

Nil

* * * * *