

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

OA.NO.170/00948/2016

DATED THIS THE 8TH DAY OF JUNE, 2018

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

HON'BLE SHRI PK.PRADHAN MEMBER(A)

1. Sreekantha Neelakanti,
Age: 28 years,
S/o Fakirappa N,
Working as P.A
Harapanahalli MDG – 583131
Bellary Postal Division,
Residing at:
No. Ward No. I, Kote,
Holalu P.O 583 217

2. Shivanand L. Chandany,
Age: 28 years,
S/o Laxman,
Working as P.A,
Hatti P.O. 584 115,
Raichur Postal Division
Residing at:
Harikere P.O. 587116,
Biligi Taluk, Bagalkot District.

3. Madhu,
Age: 38 years
S/o Mahadeva,
SPM, Kamasamudram S.O.
Kolar Division,
Residing at: No. 329,
New Kantinahalli Avenue,
Lalanahalli Road,
Eshwarnagar, K.R. Nagar – 571 602
Mysore District

...Applicants

(By Advocate Shri P. Kamalesan)

V/s.

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

2. Chief Post Master General,
Karnataka Circle,
Bengaluru – 560 001.

3. Post Master General,
N.K. Region,
Dharwad - 580001.

4. The Post Master General,
S.K. Region,
Bengaluru – 560 001.

5. The Superintendent of Post Offices,
Bellary Postal Division,
Bellary – 583 217

6. The Superintendent of Post Offices,
Raichur Postal Division,
Raichur – 1

7. The Superintendent of Post Offices,
Kolar Postal Division,
Kolar-1

...Respondents

(By Shri K.Dilip KumarAddl. CGSC)

ORDER (ORAL)

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

1. We heard both the learned counsels. The small issue in this case is that whether a punishment of censure and warning can be a bar to

write the departmental examination. The Hon'ble Apex Court time and again held that it will not be a bar. Learned counsel for the respondents graciously admits that it is so. Therefore, there is no need to continue the proceedings and the other reliefs we are not inclined to grant. But, we will grant an order that the applicant is now clear of all clouds against him and therefore, will be allowed to participate in the departmental examination.

2. OA is allowed to this limited extent. No order as to costs.

(PK.PRADHAN)
MEMBER (A)

bk.

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

Annexures referred to by the applicant in OA.948/2016

Annexure A-1: Copy of the Chief Postmaster General, Karnataka letter No.R & E/ 1-6/2015 dated 12.9.2016, endorsing the Directorate letter No.A/34012/09/2016 DE dated 9.9.2016.

Annexure R-2: (a)Copy of Superintendent of post offices, Bellary Division, Bellary-583102 letter No.BLR/B2/PO/Exam/2015-16/Dlgs dated 17.10.2016.

b) Copy of Superintendent of post offices, Raichur letter No.B1/IP/Exam/2016/Dlgs dated 17.10.2016.

c) Copy of Superintendent of Post office, Kolar Division, Kolar-563102 letter No.B1/12-4/2015-16 dated 18.10.2016.

Annexure A-3: Copy of the representation of applicant dated 18.10.2016.

Annexure A-4: Copy of recruitment rules for the post of Inspector of post issued by DG(P) letter No.4.4./98 SPB II dated 26.4.2001.

Annjexure A-5: Copy of the DG P & T letter No.7/31/63-SPB II dated 25.6.65.

Annexur A-6: Copy of the Ministry of Communication and I.T Department of Post letter No.34025/18/2015 dated 10.12.2015.

Annexure A-7: Copy of Government of India decision below No. Rule 11 of CCS (CCA) Rules 1965.

Annexures referred to by the respondents in the rely.

Annexure R-1: Copy of Letter F.No.A-34012/09/2016-DE dated 05.09.2016 issued by Assistant Director General (DE), Ministry of Communications & IT, Department of Posts.

