

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

OA.NO.170/01036/2016

DATED THIS THE 8TH DAY OF JUNE, 2018

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

HON'BLE SHRI PK.PRADHAN MEMBER(A)

Sri Amaresha Erappa,
Aged about 27 years,
S/o Erappa,
Working as Associating Inspector of Post,
Sindhaur Sub-Division,
Raichur Postal Division,
Raichur: 584101.

...Applicant

(By Advocate Shri P. Kamalesan)

V/s.

1. Union of India,
Rep. by its Director General,
Department of Post,
Dak Bhavan,
New Delhi-110 001.

2.Post Master General,
N.K. Region,
Dharwad-580 001.

8.Chief Post Master General,
Karnataka Circle,
Bangalore-560 001.

4.Superintendent of Post Office,
Raichur Postal Division,
Raichur-584 101.

...Respondents

(By Shri V.N. Holla, Sr. Panel Counsel)

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)

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

bk.

Annexures referred to by the applicant in OA.No.1036/2016

Annexure A-1: Copy of Notification issued by Govt. Of India, Ministry of Communication and I.T. Department of Post vide Memo No.F.No.A-34012/09/2016 DE dated 05.09.2016.

Annexure A-2: Copy of Superintendent of Post Offices, Raichur Division letter No.B1/IP/Exam-2016/Dlgs dated 17.10.2016.

Annexure A-3: Copy of Recruitment Rule for Inspector of Post vide DG(P) Letter No. 4-4/98-SPB II dated 26.04.2001.

Annexure A-4: Copy of Govt. Of India, Ministry of Communication and I.T. Department of Post DE Memo No.A-34020/08/2015 DE dated 10.12.2015.

Annexure A-5: Copy of DOPT OM No.21/5/70-Est/(A) dated 15.5.1971.

Annexure A-6: Copy of DG P & T letter No.7/31/63-SPB II dated 25.6.1965.

Annexure A-7: Copy of Hon'ble Apex Court order dated:28.10.1980 in case of S.L. Sachdev and others -vs. Union of India and others in WP.No.267/1979.

Annexure A-8: Copy of Hon'ble Kerala High Court order dated 4.3.70 S. Mukundan Menon -vs- State of Kerala.

.....

