

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHENNAI BENCH**

**OA/310/00290/2018**

**Dated Tuesday the 27<sup>th</sup> day of February Two Thousand Eighteen**

**PRESENT**

**HON'BLE MR. R. RAMANUJAM, Member (A)**

G.Ashok Kumar,  
Postal Assistant,  
Avadi Camp HPO,  
Chennai 600054. ....Applicant

By Advocate M/s. P. R. Satyanarayanan

Vs

Union of India rep by,  
1.Director of Postal Services,  
O/o Postmaster General,  
Chennai City Region, Chennai 600002.  
2.The Senior Superintendent of Post Offices,  
Tambaram Postal Division,  
Chennai 600045.  
3.The Inquiry Officer &  
Assistant Superintendent of Posts,  
Tiruvallur Sub Division, Tiruvallur 602001. ....Respondents

By Advocate Mr. M. Kishore Kumar

**ORAL ORDER**

**(Pronounced by Hon'ble Mr. R. Ramanujam, Member(A))**

Heard. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following relief:

“To call for the records relating to proceedings no. F1/4-41/12 dated 07.12.2017 issued by the second respondent and confirmed by proceedings no. VIG/13-01/2018/CCR dated 14.02.2018 issued by the first respondent and quash them as arbitrary and irrational and direct the respondents to :

- I. nominate any other Inquiry Officer to conduct the enquiry from the stage of issuance of Daily Order Sheet No. 15 dated 12.08.2017 and
- II. to produce the originals or certified copies of documents wherever applicable for perusal.

And pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case and thus render justice.”

2. Learned counsel for the applicant submits that the respondents had initiated disciplinary proceedings against the applicant in which the applicant alleged bias against the Inquiry Officer. However, the Bias Petition was dismissed first by the Disciplinary Authority and subsequently by the Appellate Authority. Thereafter, without waiting for the applicant to examine defence witnesses and documents, the Inquiry Officer has now issued a notice for the applicant's appearance on 28.02.2018 for 'questioning' which is the last stage of inquiry. It is stated that the applicant had already replied to the notice on 23.02.2018, a copy of which is produced. It is accordingly stated that the applicant would be satisfied if the Inquiry Officer is directed to consider the representation of the applicant dt. 23.02.2018 and allow the applicant an opportunity to produce documentary and oral evidence in his defence.

3. Mr. M. Kishore Kumar appears for the respondents and submits that the inquiry is being conducted in accordance with the rules and the applicant has approached this Tribunal with a view to pre-empting the Inquiry Officer and delaying the whole process.

4. I have carefully considered the matter. It is not possible for the Tribunal to interfere at every stage of inquiry and issue directions to the Inquiry Officer. However, if the applicant had not been allowed an opportunity to produce documentary and oral evidence in his defence, it would not be in the interest of justice. Accordingly, I deem it appropriate to direct the Inquiry Officer to consider the representation of the applicant dated 23.02.2018 and strictly act in accordance with the procedure laid down for the departmental inquiries before proceeding with the final stage of the inquiry as per the notice dt. 20.02.2018 for the applicant's appearance on 28.02.2018.

5. OA is disposed of with the above directions at the admission stage.

**(R. Ramanujam)**  
**Member(A)**  
**27.02.2018**

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