

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/000082/2019

DATED THIS THE 22ND DAY OF JANUARY, 2019

**HON'BLE DR.K.B.SURESH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

Sri H. Nagaraja,
Aged about 44 years,
S/o Hanumanthappa,
Working as Postman,
Shikaripura P.O.,
Shimoga District,
Residing at Kolaga Village,
Shikaripura Taluk,
Shimoga District.

..Applicant.

(By Advocate Shri P. Kamalesan)

Vs.

1. Union of India
Rep. by the Director General of Post,
Dak Bhavan,
New Delhi – 110 001.
2. Post Master General ,
S.K. Region,
Bangalore-560 001.
3. Senior Superintendent of Post Offices,
Shimoga Postal Division,
Shimoga-573 101.
4. Chief Post Master General,
Karnataka Circle,
Bengaluru-560 001.Respondents

ORDER (ORAL)**HON'BLE DR.K.B.SURESH** ...**MEMBER(J)**

We had taken up this matter and discussed the matter with the departmental representative. Apparently, Annexure A-13 will not satisfy the tenets of a speaking order. Termination necessarily has to be significantly, compulsorily speaking, so that the ground of divergence in the findings of the authority must be available on the face of record. Annexure A-13 in limine will not lie under law. Quashed. Applicant will be reinstated in service. But then, we will provide opportunity to the respondents to pass a speaking order and do what ever is required under law. For the time being, applicant will be reinstated into service in limine.

2. OA allowed. Applicant will be reinstated with all consequences. No costs.

(C.V. SANKAR)
MEMBER(A)

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

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Annexures referred to by the Applicant in OA No.170/00082/2019

1. Annexure A1 : Copy of Notification for holding of Limited Departmental competitive examination vide letter dated 28.11.2016.
2. Annexure A2 : Copy of Supdt. Of Post Offices, Shimoga Memo dated 24.5.2017.
3. Annexure A3 : Copy Supdt. Of Post Offices, Shimoga, Memo dated 28.7.2017.
4. Annexure A4 : Copy of PMG Bangalore letter dated 30.8.2017.
5. Annexure A5 : Copy of Supdt. Of Post Offices, Shimoga letter dated 26.9.2017 .
6. Annexure A6 : Copy of Supdt. Of Post Offices, Shimoga letter dated --.10.2017.
7. Annexure A7 : Copy of Supdt. Of Post Offices, Shimoga letter dated 12.10.2017.
8. Annexure A8 : Copy of Extract from Swamy's compilation regarding reservation & concessions in appointment for disabled persons.
9. Annexure A9 : Copy of Supdt. Of Post Offices, Shimoga Memo dated 2.11.2017.
10. Annexure A10 : Copy of Hon'ble CAT, Bangalore order dated 28.9.2018 in OA.No.638/2017.
11. Annexure A11 : Copy of Supdt. Of Post Offices, Shimoga Memo dated 28.12.2018.
12. Annexure A12 : Copy of reply to show cause notice submitted on 11.1.2019.
13. Annexure A13 : Copy of Supdt. Of Post Offices, Shimoga letter dated 16.1.2019.
