

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

**O.A.NO. 060/01440/2018 Date of order:- 10.12.2018.**

Coram: **Hon'ble Mr. Sanjeev Kaushik, Member (J)**  
**Hon'ble Mrs.P.Gopinath, Member (A).**

Sukhdev Singh, Gramin Dak Sewak Branch Postmaster son of Sh. Sajjan Singh, resident of village Pathreri Jattan, Branch Office Mianpur, Head Office Ropar-14001.

.....Applicant.

( By Advocate :- Mr. K.S.Chaudhary )

Versus

1. Union of India through Secretary to Govt. of India, Ministry of Communications & IT Department of Posts, New Delhi-110 001. Dak Bhawan.
2. Chief Postmaster General, Punjab Circle, Sector 17, Chandigarh-160017.
3. Senior Superintendent of Posts, Chandigarh Division, Sector 17, Chandigarh-160017.
4. Assistant Superintendent Post Offices, Ropar Sub Division, Ropar-140 001.

...Respondents

**O R D E R (Oral).**

**Sanjeev Kaushik, Member (J):**

The applicant before this Court assails an order dated 11.10.2018 ( Annexure A-11), whereby the respondents have initiated the departmental enquiry against him under Rule 10 of the Gramin Dak Sevak ( Conduct & Engagement ) Rules, 2011. Though the applicant has taken various grounds for invalidation of impugned order, the star one is that his representation pending for pre-mature retirement has not been answered by the respondents, as he did not

attend his duties since 14.4.2015 due to his medical illness. Learned counsel for the applicant also submitted that the applicant had submitted a representation wherein he sought voluntary retirement, but the same has not been answered by the respondents till date, rather, the respondents have passed the impugned order whereby departmental enquiry has been initiated against him.

2. We have heard the learned counsel for the applicant and have perused the material placed on record.

3. Since the respondents have already initiated departmental enquiry against the applicant, the applicant has now full opportunity to defend his case by submitting all the documentation before the Inquiry Officer and the enquiry can be completed and final view can be taken by the disciplinary authorities, which can always be challenged by the applicant, if it is not acceptable to him. Law is well settled that legality of a charge-sheet cannot be challenged and Courts would be slow to interfere unless it is shown that the same is contrary to any statutory provision or without jurisdiction, which is missing in this case.

4. Considering the above, we are not inclined to entertain this petition, at this stage, being pre-mature and the same is accordingly dismissed in limine.

**(SANJEEV KAUSHIK)  
MEMBER (J)**

**(P.GOPINATH)  
MEMBER (A).**

Dated:- 10.12.2018.

Kks