

**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.**

ORIGINAL APPLICATION NO.5/2019

Date Of Decision:- 4th January, 2019.

**CORAM: HON'BLE SHRI. R. VIJAYKUMAR, MEMBER (A).
HON'BLE SHRI. R. N. SINGH, MEMBER (J).**

Shri. Manoj Namdev Chevale

Age: 50, Occ:- Sorting Assistant,
Office at: Superintendent of RMS,
Mumbai Sorting Division, Mumbai-01,
R/o. SRA 'B' Wing, 6th Floor R.608,
Opposite Gulraj Tower,
Kurla (E) 400024.

...Applicant

**(Applicant by Advocate Shri. Shailesh A.
Chavan)**

Versus

**1. Union of India, through
Ministry of Communication & IT,
Sanchar Bhavan, Sansad Marg,
PO, New Delhi 110001.**

**2. Superintendent of RMS,
Mumbai Sorting Division,
Mumbai 01.**

**3. Director Postal Service,
Mumbai Region, Mumbai Division,
Mumbai 411001.**

**4. Chief Post Master General
Maharashtra Circle, GPO,
Mumbai.**

...Respondents

ORDER (ORAL)

PER:- SHRI. R VIJAYKUMAR, MEMBER (A).

1. Today when the matter is called
out for admission, heard Shri. Shailesh A

Chavan, learned counsel for applicant. We have carefully perused the case records.

2. Applicant's main challenge to the charge sheet issued by the Disciplinary Authority is on the grounds that the Disciplinary Authority has been directed by an Assistant Post Master General (PG & Vig), O/o. Chief PMG, Mumbai 400001 by a circular No.Enq/Pre/Misc-15/2005 dated 25.08.2005 to examine the caste certificate of persons employed after the year 1995. The learned counsel has no response on whether he was challenging the charge sheet or any grounds that are mentioned as a relevant in the rulings of the **Hon'ble Apex Court in Union of India Vs. Kunisetty Satyanarayanan dated 22.11.2006.** He has also no submissions on the applicability of the Scheduled Tribe Orders of 1950 and on the application of the judgment of the **Hon'ble Apex Court in Viswanatha Pillai.** He also refers to the stay and the proceedings of the Hon'ble High Court on this matter. It is evident that the challenge made to

the charge sheet is clearly premature and this OA is not maintainable.

3. In the circumstances, the OA is dismissed. However, we hope that the competent authority will conclude the Disciplinary Proceedings expeditiously in accordance with settled law and the relevant rules covering disciplinary proceedings. No order as to costs.

(R.N. Singh)
Member (J)

(R.Vijaykumar)
Member (A)

srp