

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
OA/050/00187/19**

Date of Order: 28.02.2019

C O R A M

**HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER**

Indrajeet Prasad Singh, S/o Late Ram Nath Singh, resident of Mohalla- Nai Basti Mahadeva, Distrit- Siwan – 841226.

.... Applicant.

By Advocate: - Mr. M.P. Dixit

-Versus-

1. The Union of India through the D.G. Cum Secretary, Department of Posts, Dak Bhawan, New Delhi- 110001.
2. The Chief Postmaster General, Bihar Circle Patna- 800001.
3. The Director Accounts (Postal), Patna GPO Campus, Patna- 800001.
4. The Post Master General, Northern Region, Muzaffarpur- 842002.
5. The Director of Postal Services, O/o the Post Master General, Northern Region, Muzaffarpur- 842002.
6. The Superintendent of Post Offices, Siwan Division, Siwan- 841226.

.... Respondents.

By Advocate: - Mr. Radhika Raman

**O R D E R
[ORAL]**

Per Dinesh Sharma, A.M:- In this OA, the Applicant has prayed for dropping the Disciplinary proceedings initiated against him vide Memorandum dated 24.4.2017, in the light of the Inquiry Report dated 08.06.2018, and for release of amounts towards DCRG as well as other retiral benefits along with interest. He has also prayed for an interim relief of release of his DCRG and Leave Encashment amount along with admissible

interest by taking, if necessary, an undertaking from him. This is to enable him to solemnize marriage of his daughter which is fixed on 06.05.2019.

2. The case was heard at the admission stage. It is found that the applicant had approached this Tribunal in this matter earlier through OA/050/00258/2018, when the Tribunal had dismissed the OA as premature with a direction to the respondent for expeditious completion of disciplinary proceedings. Though this Tribunal had expected it to be preferably over within 6 months, we note that it is still not over almost one year after that order. We find that though the alleged inquiry report produced by the applicant finds charges against him not proved, no further action has apparently been taken on this report.

3. Apparently, the disciplinary proceedings against a retired employee are being dragged without there being a prima facie strong reason. However, it would be pre-mature to drop the proceedings as prayed for by the applicant at this stage. It would also not serve any purpose to keep the OA pending here while the authorities concerned complete the proceedings and take an appropriate decision. The prayer of the applicant regarding release of his retiral dues on his undertaking to fulfil whatever loss he is found responsible for, seems reasonable but amounts to making him sign a blank cheque under duress (though he has himself volunteered to do so).

4. Interest of justice, at this stage, will be served by directing the respondents to ensure that a FINAL decision is taken on the disciplinary action against the applicant within 2 months from the date of receipt of this

order. In case they fail to do so, they should release whatever retirement benefits are due to the applicant, within 15 days immediately thereafter.

The OA is disposed of accordingly. No costs.

[Dinesh Sharma]
Administrative Member
Srk.

[Jayesh V. Bhairavia]
Judicial Member