

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00115/2019

DATED THIS THE 14TH DAY OF AUGUST, 2019

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

K. Ekanthappa,
S/o Kanumappa,
Aged 53 years,
Ex-Postal Assistant,
Chitradurga HO 577 501
Residing at behind P&T Quarters,
Chelugudda,
Holalkere Road,
Chitradurga 577 501

..... Applicant

(By Advocate Shri A.R. Holla)

Vs.

1. Union of India,
By Secretary,
Department of Posts,
Dak Bhavan,
New Delhi 110 001

2. The Chief Postmaster General,
Karnataka Circle,
Bengaluru 560 001

3. Director Postal Services,
O/o Postmaster General,
S.K. Region,
Bengaluru 560 001

4. The Superintendent of Post Offices,
Chitradurga Division,
Chitradurga 577 501

....Respondents

(By Shri N. Amaresh, Counsel for Respondent No. 1 to 3)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J)

Heard. The matter relates to a postal employee allegedly defalcating Rs. 65,000/- . His case is that he had repaid it on it being brought to his notice but the respondents has a case that he had been absent for quite a long while after this was brought to the notice of the concerned authorities and therefore they found it difficult to unearth matters relating to him. They now say that the defalcation is more than rupees 3 lakhs which the respondents had to make good. So the question of him repaying the entire amount does not arise at all. But even otherwise in postal department things are slightly different because of the huge volume involved in it only the tip of the iceberg will be shown above the water. If 10 rupee defalcation is brought to the notice one can be sure that this has been more than Rs. 10,000/- . Therefore, if within a short span of time there is an admitted defalcation of Rs. 65,000/- , there seems to be reason enough for the Revisionary Authority to be unhappy about the orders passed by the concerned Disciplinary

Authority. Shri N. Amaresh, learned counsel for the respondents, submits that the show cause notice was given to him indicating the reasons on which the matter has to be revised once again and having heard him only the order was passed. We do not see anything wrong in the orders passed. Therefore, we do not think that this is a fit case for our intervention.

2. The OA is held to be non-meritorious. The OA is dismissed. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

Annexures referred to by the applicant in OA No. 170/00115/2019

Annexure A1 Copy of the memo dated 30.11.2013

Annexure A2 Copy of the letter dated 24.06.2016 with the Inquiry Report dated 24.06.2016

Annexure A3 Copy of the applicant's representation dated 09.07.2016

Annexure A4 Copy of the order dated 12.07.2016

Annexure A5 Copy of the letter dated 18.10.2016 with the order dated 05.10.2016

Annexure A6 Copy of the applicant's representation dated 27.10.2016

Annexure A7 Copy of the order dated 24.01.2017

Annexure A8 Copies of the applicant's revision petition dated 06.03.2017

Annexure A9 Copy of the order dated 30.11.2018

Annexures referred in the reply statement

Annexure R1 Copy of the extract of CCS (Classification, Control and Appeal Rules)

Annexure R2 Copy of the order of Central Administrative Tribunal, Bangalore Bench order in OA No. 646/2017 dated 12.12.2018.

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