

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/01532/2018

DATED THIS THE 30TH DAY OF AUGUST 2019

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

HON'BLE SHRI CV. SANKAR, MEMBER (A)

T.Yapaiah,  
S/o Gantu Thimmaiah,  
Aged 49 years,  
Ex-Postman, residing at  
Gowdagere Village & Post,  
Challakere Taluk  
Chitradurga District 577536.

...Applicant

(By Shri AR.Holla..... Advocate)

Vs.

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

2.The Director of Postal Services (HQ)  
Karnataka Circle,  
Bengaluru-560 001.

3.The Superintendent of Post Offices,  
Chitradurga Divison,  
Chitradurga 577501.

...Respondents.

(By Shri S.Sugumaran . ACGSC)

O R D E R (ORAL)

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

1. Heard. Apparently both sides submit that in OA.115/2019 dated 14.8.2019 we have passed an order in a similar case. The only difference is that in that case the Disciplinary Authority had passed an order which the Appellate Authority had reviewed and ordered compulsory retirement. Apparently in this case the Disciplinary Authority had given a less honorus onus punishment which on suo-motu review was taken up by the Appellate Authority and an order of dismissal is passed.
2. We have heard both the counsels at length on the issues involved in it and we feel that going by elements in it a punishment of compulsory retirement would be more suitable to the facts of the case. Therefore, we direct the respondents to modify the punishment to compulsory retirement OA is allowed to this limited extent. No order as to costs.

(CV. SANKAR )  
MEMBER(A)

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

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Annexures referred to by the applicant in OA.No.1532/2018

Annexure A-1: Copy of order dated 6.9.2008.

Annexure A-2: Copy of memo & Corrigendum dated 30.11.2013

Annexure- A-3.A copy of order dated 31.3.2017 with inquiry report dated 22.3.2017

Annexure- A-4.A copy of order dated 28.4.2017

Annexure- A-5.A copy of order dated 3.10.2017

Annexure- A-6.A copy of applicant's representation dated 28.10.2017

Annexure- A-7.A copy of order dated 1.1.2018

Annexures referred in reply

Annexure R-1: Copy of letter dated 27.7.1972

Annexure A-2: Copy of order dated 24.7.2013 in WP.(C)3622/2013

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