

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH
HYDERABAD**

OA/020/385/2019

Dated: 22.04.2019

Between:

B. Sriramulu, S/o. Late Tumbayya,
Aged about 58 years,
Occ: Branch Post Master, Silgam
R/o. Silagam Village,
Kaviti Mandal, Srikakulam District.

1 Applicant

A N D

1. The Union of India rep. by its
Secretary,
Ministry of Communications & IT,
Department of Posts, Dak Bhavan,
Sansad Marg, New Delhi - 110 001.
2. The Superintendent of Post Offices,
Srikakulam Division,
Srikakulam District.
3. The Inspector of Post Offices,
Sompeta Sub Division,
Srikakulam District.

... Respondents

Counsel for the applicant : Mr. R. Satyanarayana Murthy
Counsel for the respondents : Mrs. K. Bharathi, Addl. CGSC

CORAM:

*Hon'ble Mr. Justice R. Kantha Rao, Member (J)
Hon'ble Mr. B.V. Sudhakar, Member (A)*

ORAL ORDER
[Per Hon'ble Mr. Justice R. Kantha Rao, Member (J)]

Heard Sri R. Satyanarayana Murthy, learned counsel appearing for the applicant and Sri B. Laxman representing Smt. K. Bharathi, learned Standing Counsel appearing for the respondents.

2. The applicant, who is a Branch Postmaster in Postal department, was put off duty/ suspended with immediate effect from 11.5.2015 by a Memo issued by the 2nd respondent. As per the law declared by the Hon'ble Supreme Court, a Government servant cannot be placed under prolonged put off duty (suspension), if charge memo is not issued to him within a period of 90 days. The suspension is required to be reviewed from time to time. Even in the service rules governing the applicant, he cannot be kept under suspension for a period of more than six months.

3. The O.A. itself is filed seeking the relief of revocation of suspension. The applicant was suspended 4 ½ years ago and we see no reason as to why he is being kept under suspension for such a long time, without completing inquiry. Therefore, the impugned order dated 11.5.2015 is hereby set aside and the suspension of the applicant is revoked. The respondents are directed to reinstate the applicant into service. However, they are at liberty to proceed with the inquiry against the applicant. The O.A is accordingly disposed of at the stage of admission. There shall be no order as to costs.

(B.V. SUDHAKAR)
MEMBER (A)

(JUSTICE R. KANTHA RAO)
MEMBER (J)