

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

OA/020/889/2015

HYDERABAD, this the 17th day of January, 2022



Hon'ble Mr. Ashish Kalia, Judl. Member
Hon'ble Mr. B V Sudhakar, Admn. Member

S. Khaderbasha, S/o. S.Shavalli Saheb,
Aged about 60 years,
Retired Deputy Postmaster, Proddatur HO,
R/o. H.No.21/225, Gunta Bazar,
Cuddapah, YSR Kadapa District.

...Applicant.

(By Advocate : Dr. A Raghu Kumar)

Vs.

1. The Union of India rep. by its Secretary,
Department of Posts, Dak Bhavan,
Sansad Marg, New Delhi-1.
2. The Chief Postmaster General,
A.P. Circle, Dak Sadan, Hyderabad-1.
3. The Postmaster General,
Kurnool Region, Kurnool- 518 002.
4. The Directorate of Postal Services,
O/o. Postmaster General,
Kurnool Region, Kurnool- 518 002.
5. The Superintendent of Post Offices,
Proddatur Division, Proddatur- 516 360.

... Respondents.

(By Advocate: Mr. K Venkateswarlu, Addl. CGSC).

ORDER
(As per Hon'ble Mr. Ashish Kalia, Judl. Member)

Through Video Conferencing:

This Original Application has been filed under Section 19 of the



Administrative Tribunals Act, 1985 seeking the following reliefs:

“That this Hon'ble Tribunal may be pleased to call for the records pertaining to the impugned proceedings of the 4th respondent Memo.No.INV/Rule-14/SKB/2014 dated 03.06.2015 dismissing the applicant from service with immediate effect at the fag end of his service ignoring the fact that on the same set of charges criminal proceedings are pending before the Hon'ble Special Judge for CBI Cases, Hyderabad, and quash and set aside the same as illegal, arbitrary, against the principles of natural justice, violative of Article 14,16 and 311 of the Constitution of India and rules on the subject matter and law of the land, and be pleased to pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

2. The learned counsel for the applicant has submitted that during the pendency of this Original Application, the applicant has been convicted in criminal case before the Hon'ble Special Judge for CBI Cases in RC.No.04(A)/2013-CBI-HYD. He informed this Bench that since the applicant has been convicted in criminal case, a criminal revision petition has been filed by the applicant before the Hon'ble High Court of Andhra Pradesh where the suspension of punishment is ordered. He further submitted that in case the applicant gets succeeded in the said appeal before the Hon'ble High Court, he will take legal recourse.

3. After hearing the counsels for the parties. We are of this view that, at present, the applicant has already been convicted and there is no point in dealing with the departmental proceedings in the present original application. In view of this, we hereby close this Original Application as

no issue needs to be decided by us. However, we grant liberty to the applicant that in case, he gets succeeded in criminal revision petition, which is pending before the Hon'ble High Court, he may re-approach the departmental authorities by making a representation. Thereafter, he is at liberty to take legal recourse.



4. The OA is closed as above. No costs.

(B.V. SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

/Ram./