

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

OA/21/780/2014

HYDERABAD, this the 22nd DAY OF JANUARY 2020

Hon'ble Mr. ASHISH KALIA, MEMBER (J)

Hon'ble Mr. B.V. SUDHAKAR, MEMBER (A)

G GOVINDA RAJULU,
S/o G Chinnappa,
Aged 47 years,
Occ: Technician-C (Technical),
National Institute of Nutrition,
Hyderabad,
R/o Q.No.C-11, NIN Staff Quarters,
NIN Campus, Jamai Osmania Post,
Tarnaka, Hyderabad 500007.



... Applicant

(By advocate: T P Acharya)

Vs.

1. Union of India rep. by
The Director General,
Indian Council of Medical Research,
V.Ramalingaswamy Bhavan,
Ansari Nagar, New Delhi 110 029,
2. National Institute of Nutrition,
Indian Council of Medical Research,
Jamai Osmania Post,
Tarnaka, Hyderabad 500007,
Represented by its Director.

...Respondents.

(By Advocate: Mr. B.N.Sharma, SC for NIN)

ORDER (ORAL)

Hon'ble Mr. Ashish Kalia, Judl. Member

Applicant has filed this OA u/Sec.19 of the Administrative Tribunal Act, 1985 praying for the following relief(s):

"To declare the impugned Memo in Ref. No.NIN/D/GGR/3224, dated: 30-06/01-07-2014 issued by the Director-Incharge of 2nd respondent Institution i.e., NIN, Hyderabad as arbitrary, illegal and without power, authority and contrary to CCS (CCA) Rules,1965 and also without fair play and thus set aside the same and pass such other and further order or orders as are deemed fit and in the circumstances of the case.."



2. Brief facts, as stated in the OA, are as under:

Applicant, while working as Technician-C, was placed under suspension by order dated 22.11.2013 which was challenged before this Tribunal in OA 38 of 2014 and the said OA was allowed vide order dated 11.04.2014 holding that Respondent No.1 has no power to confer any statutory power on the Director-Incharge. He was issued with a charge memo dated 04.02.2014 and an Inquiry Officer was appointed and the Inquiry Officer submitted his report on 30.06.2014/01.07.2014 holding the charges as proved. The said inquiry report is challenged in this OA.

3. We heard Mr. Kiran representing Mr. T.P.Acharya, learned Counsel for the applicant and Mr.M.C.Jacob representing Mr. B.N.Sharma, learned Standing Counsel for the respondents.

4. A similar issue has been considered by this Bench, in O.A.No.021/898/2014 in which one of us, B.V.Sudhakar, is the Member. After considering the rival contentions, the said OA has been dismissed.

5. In view of the above, nothing to be decided in this O.A.

6. O.A. is accordingly dismissed. There shall be no order as to costs.

(B.V. SUDHAKAR)
ADMN. MEMBER

(ASHISH KALIA)
JUDL. MEMBER

/vsn/

