

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA 150/99

Thursday the 4th day of March 1999.

CORAM

HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN  
HON'BLE MR R.K.AHOOJA, ADMINISTRATIVE MEMBER

K.N.Somasekharan Nair  
S/o Krishnan Nair  
Telecom Quarters A-2,  
Munnar P.O.

...Applicant

(By advocate Mr M.R.Rajendran Nair)

Versus

1. Sub Divisional Officer  
Telecom, Adimali.
2. Divisional Engineer,  
Telecommunications,  
Thodupuzha

...Respondents

(By advocate Mr A.Sathianathan, ACGSC)

The application having been heard on 4th March 1999,  
the Tribunal on the same day delivered the following:

O R D E R

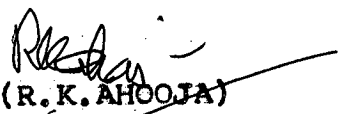
HON'BLE MR A.V.HARIDASAN, VICE CHAIRMAN

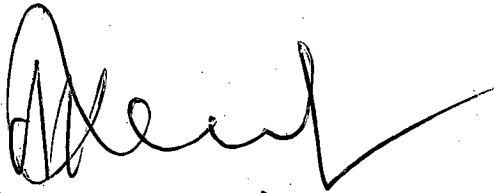
Applicant who was working as Lineman in the Telecom Department was dismissed from service by order dated 1.1.99 (A-1) invoking powers under Rule 19(1) of the CCS(CCA) Rules, 1965 on account of his conduct leading to his conviction in a criminal case. Applicant has preferred an appeal (A-6) against A-1 order. The appeal is yet to be considered and disposed of. While so, the applicant was served with Annexure A-2 order dated 20.1.99 of the Sub Divisional Officer, Telecom, Adimali calling upon the applicant to vacate the departmental quarters forthwith. The applicant impugns both these orders on various grounds and has sought quashing of these orders. The applicant has also, inter-alia, sought a direction that the second respondent be directed to consider and dispose of A-6 appeal within a reasonable time-frame and has prayed for an interim order of stay of the operation of A-2 order.

2. When the application came up today, learned Additional Central Govt. Standing Counsel, under instructions from the respondents, stated that the appeal would be disposed of within two months and that the application may be disposed of with a direction to do so and also directing that the applicant may not be evicted from the quarters till disposal of the appeal.

3. In the light of the above submission by the learned counsel for respondents, we dispose of this application directing the second respondent to consider and dispose of the A-6 appeal with a speaking order within two months from the date of receipt of a copy of this order. We also direct that as undertaken by the respondents, the applicant shall not be evicted from the quarter until the appeal is disposed of.

Dated 4th March 1999.

  
(R.K. AHOOJA)  
ADMINISTRATIVE MEMBER

  
(A.V. HARIDASAN)  
VICE CHAIRMAN

aa.

LIST OF ANNEXURES

1. Annexure A1: True copy of the Order dt. 1.1.99 No.X/CC/KNS/92-99/79 issued by the 1st respondent.
2. Annexure A2: True copy of the Order dt. 20.1.99 No.X/CC/KNS/92-93/80 issued by the 1st respondent.
3. Annexure A6: True copy of the appeal dated 3.2.99 submitted by the applicant to the 2nd respondent.

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