

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.405/2000

Thursday this the 25th day of May, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Raju Narayana Swamy I.A.S
son of Shri K.S.V. Iyer,
aged 31years, Managing Director,
Kerala State Cooperative Marketing Federation Ltd.
Ernakulam residing at MIG Flat C.4,
Gandhinagar, Kochi.20.Applicant

(By Advocate Mr. T.R.Ramachandran Nair)

Vs.

1. Union of India, represented by Secretary,
Department of Personnel and Training,
New Delhi.
2. State of Kerala, represented by Chief
Secretary, Secretariat,
Thiruvananthapuram.Respondents

(By Advocate Mr. Govindh K Bharathan, SCGSC for R.1
Mr. CA Joy Govt. Pleader for R.2.

The application having been heard on 25.5.2000, the Tribunal
on the same day delivered the following:

O R D E R

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

The applicant, a member of the Kerala Cadre of the
Indian Administrative Service has filed this application
challenging the order dated 25.10.1999 of the second
respondent in which it has been stated that the government
has come to the conclusion that the applicant and one Shri
Teeka Ram Meena, IAS behaved in a manner unbecoming of the
position held by them leading to an embarrassing situation
in the district administration advising them to avoid such a
situation in future. The applicant has narrated various

facts which led to the issue of the impugned order and has explained how he was in no way responsible and how the order concluding that he had exhibited a conduct unbecoming of position is baseless and unsustainable. The applicant has sought to set aside Annexure.A10 order and a direction to the respondents to stop all actions against the applicant pursuant to the enquiry held in the matter.

2. A statement has been filed on behalf of the second respondent, in which second respondent has clearly stated that the government has decided not to take any disciplinary action against the applicant in respect of the occurrence which led to the issue of the impugned order and that the impugned order Annexure.A10 would not be kept in the A.C.R. of the applicant and would not in any way adversely affect him in the process of screening and selection etc.

3. In the light of the above statement of the second respondent in the reply statement that no disciplinary action would be taken against the applicant pursuant to the occurrence which led to the impugned order and that the impugned order is neither be kept in the ACR of the applicant nor would affect him adversely in his service career, we are of the considered view that the application need not be proceeded further. Counsel on either side also agree that the application may be closed without any further directions.

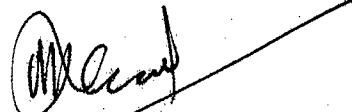
.3.

4. In the result, the application is closed, as agreed to by the counsel on either side. No order as to costs.

Dated this the 25th day of May, 2000



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

S.

List of Annexures referred to in the order:

Annexure A10: True copy of the Order of the Govt. of Kerala, General Administration, No. 30140/Spl.A1/99/CAD dated 25.10.1999.