

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE 8TH DAY OF DECEMBER, 1986.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy, .. Vice-Chairman.

And;

Hon'ble Mr. L.H.A. Rego, .. Member(A).

APPLICATION NUMBER 1969 OF 1986.

Venkatesh,
CPC Khalasi,
LTI No. 249, CWI's Office,
Bangarpet.

.. Applicant.

(By Sri M. Narayanaswamy, Advocate)
v.

1. The Divisional Railway Manager,
Southern Railway, Bangalore City.

2. The Permanent Way Inspector,
Southern Railway, Bangarpet.

.. Respondents.

(By Sri A.N. Venugopal for Respondents)

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This application coming on for hearing this day, Vice-Chairman made the following:

ORDER

This application was posted before us to-day for admission. At our direction Sri A.N. Venugopal who is representing the very respondents in A.No. 1665 of 1986 (Muniappa Vs. The Divisional Railway Manager and another) which we have just now disposed of, takes notice for them. He is permitted to file his memo of appearance for them within 2 weeks from this day. As agreed to by both sides, this case is treated as listed for final hearing to-day and is accordingly heard.

2. The facts of this case and the questions of law that arise for determination are similar to Muniappa's case. The order challenged in this case is similar to the very order challenged in Muniappa's case.

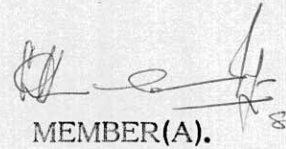
3. For the reasons stated in Muniappa's case we make the following

following orders and directions:

We quash the impugned order of the Permanent Way Inspector, Southern Railway, direct the respondents to reinstate the applicant to his original post with expedition and in any event on or before 1-1-1987. We also direct the applicant to report for duty before respondent-2 on or before 1-1-1987. But, this order does not prevent the respondents or any other superior authority to hold an inquiry and terminate the services of the applicant for impersonation or other misdemeanour in accordance with law. We permit the respondents to settle the salary, if any due to the applicant from the date of his termination to the date of his reinstatement in conformity with the order to be made in the disciplinary proceeding only.

4. Application is disposed of in the above terms. But, in the circumstances of the case, we direct the parties to bear their own costs.


VICE-CHAIRMAN 8/12/86


MEMBER(A). 8-12-86

np/