

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

REGISTERED

Commercial Complex(BDA)
Indira Nagar,
BANGALORE- 560 038.

Dated 29th Oct 88

Application No. 1318 to 1320/86(T)

WP No. 11829 to 11831/84

Applicant

M. Ramasao Maide & 2 a.

To

- ① S.L. S.M. Babu, Sec. to appt.
- ② B.M. S.R. & ③ Dist. P. manager, B'lore city.
- ④ J.L. M. Sreerangaraj, Stg. Commr. to P. M.

SUBJECT: Sending copies of Order passed by the Bench in
Application No. 1318 to 1320/86(T)

....

Please find enclosed herewith the copy of the Order/

Interim Order passed by this Tribunal in the above said Application

No. 1318 to 1320/86(T) on 3/11/88.

Encl: as above.

SECTION OFFICER
(JUDICIAL)

Received three copies of order &
copy of order on 9/1/84 at 10/2/85
and CC NO 7/1976 at 3/10/83
produced by me

S. D. T. Babu
(S.M. Babu)
Secy to appt.

① Received
M. Sreerangaraj
RA 14/11

Date

Office Notes

Orders of Tribunal

29.9.86. (1) Both Side Counsel present, application is adjourned to 2/11/86 at the request of Respondent Advocate.

B.O.

M. CCH-2.

8.10.86. Sri. S.M. Babu, Advocate for Applicant present.

Sri. M. Sreerangaiah, Counsel for respondent present.

Arguments Concluded.

Application Allowed.

B.O.

M. CCH-2.

The Principal Sessions Judge, Bangalore City, in his Order dated 3.X.1983 quashed the prosecution proceedings against the applicants as there was no valid sanction as required by law. Shri S.M. Babu, learned counsel for the applicants, urges that in view of the aforesaid order, his clients are entitled to the reliefs prayed for in this application.

Shri Sreerangaiah, learned counsel for the respondents, however, submits that the prosecution proceedings were quashed on a technical ground only, and as the respondents intend to rectify the said technical defect, no relief should be granted to the applicants at this stage.

We are not persuaded by the above submission. As long as there is a valid order quashing the criminal proceedings initiated by the prosecution, the applicants are entitled to the relief under the law.

Shri Babu brings to our notice that the applicants in A.Nos. 1318 & 1320 of 1986 have since retired. In view of this, we direct the respondents to (i) pay the gratuity amount to which they are entitled to; (ii) determine the amount of pension due to them; (iii) pay leave salary due to them, and (iv) pay the salary for the suspension period, viz., 25.3.1977 to 26.7.1977. Regarding the applicant in A.No. 1319/86, the department shall pay him the salary due to him for the suspension period and also to grant him promotion and other



CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 4 AUG 1988

CONTEMPT OF COURT APPLICATION NOS 29 & 30 /87
IN APPLICATION NOS. 1318 & 1320/86(T)
W.P. NO.

Applicant(s)

Shri K. Ramamurthy & another
To

1. Shri K. Ramamurthy
2. Shri M. Ramarao Naidu
(Sl Nos. 1 & 2 -

C/o Shri S.M. Babu
Advocate
242, Vth Main, Gandhinagar
Bangalore - 560 009)

3. Shri S.M. Babu
Advocate
242, Vth Main, Gandhinagar
Bangalore - 560 009
4. The Divisional Railway Manager
Southern Railway
Bangalore Division
Bangalore - 560 023

Respondent(s)

The Divisional Railway Manager, Southern Rly,
Bangalore & another

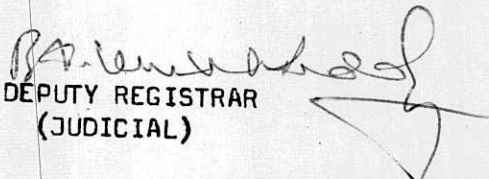
5. The Divisional Personnel Officer
Southern Railway
Mysore Division
Mysore

6. Shri M. Sreerangaiah
Railway Advocate
3, S.P. Buildings, 10th Cross
Cubbonpet Main Road
Bangalore - 560 002

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~ INTERIM ORDER
passed by this Tribunal in the above said application(s) on 29-7-88.

Encl : As above


DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 29TH DAY OF JULY, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri P. Srinivasan, Member (A)

CONTEMPT OF COURT APPLICATION NOS. 29 & 30/1987

1. Shri K. Ramamurthy,
major, Rtd. Fuel Clerk,
Southern Railways,
Bangalore.

2. Shri M. Ramarao Naidu,
S/o Krishna Rao, major,
Rtd. Fuel Clerk,
Bangalore.

... Petitioners

(Shri S.M. Babu, Advocate)

v.

1. Divisional Railway Manager,
Southern Railway,
Bangalore.

2. Divisional Personnel Officer,
Southern Railway, Mysore.

... Contemnors.

(Shri M. Sreerangaiah, Advocate)

These applications having come up for hearing to-day,
Shri P. Srinivasan, Hon'ble Member (A) made the following:

ORDER

In these two contempt of court applications, Shri Ramamurthy, applicant in A.No.1320/87 and Shri K. Ramarao Naidu, applicant in A.No.1318/87 have complained that the common order passed by this Tribunal in Transfer Application Nos. 1318 and 1320 of 1987 filed by them has not been complied with in so far as they are concerned. They, therefore, pray that the respondents in those applications be hauled up and punished for contempt of court.



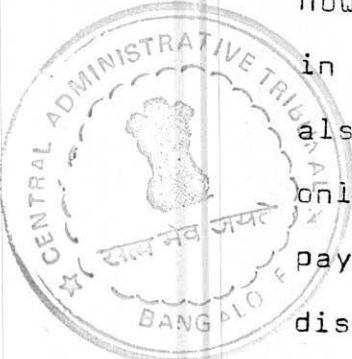
P. S. - 8c

-2-

2. When the matter came up for hearing to-day, Shri S.M. Babu, learned counsel for the petitioners, submitted very fairly that in respect of C.C. No.29/88 filed by Shri Ramamurthy, the proceedings in contempt may be dropped, because the respondents had since complied with the order of this Tribunal in his case. Shri Babu further submitted that there was some dispute regarding the quantum of interest due to Shri Ramamurthy for which he may be given liberty to approach this Tribunal in fresh proceedings. We, therefore, hereby drop the contempt of court proceedings in C.C. No.29/87 with liberty to the complainant to agitate his grievances, if any on the quantum of interest payable to him in appropriate proceedings.

3. So far as the C.C. No.30/87 is concerned, the respondents have today filed a memorandum indicating how the order of this Tribunal has been complied with in his favour also. On going through this memo, and also hearing Shri Babu, we find that what remains is only a dispute regarding ^{the} quantum of various amounts payable to the complainant in C.C. No.30/87. Such a dispute does not justify initiation of contempt proceedings against the respondents. We, therefore, drop the contempt of court proceedings in C.C. No.30/87 also with liberty reserved to the complainants to resort to appropriate proceedings in regard to the items in dispute.

4. In the result, both the contempt of court proceedings are hereby dropped. No order as to costs.


DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

VICE-CHAIRMAN

29/12/88

SD/-
MEMBER (A)

TRUE COPY