

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 30-9-87

Application No. 810/87 (F) / ~~810~~

W.P. No.

Applicant G. Honnangappa Vs S.T. Bhaskaraw and Awer

To

1. Sri G. Honnangappa,
C/o Sri A. Krishna Bhat,
Advocate,
No. 26, 11th Floor,
Sampangitank Road,
Bangalore - 560027

2. Sri A. Krishna Bhat,
Advocate
(Address as in Sp. No. I)

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN
APPLICATION NO. 810/87 (F)

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 24.9.87.

Encl : as above.

SECTION OFFICER
(JUDICIAL)

Balu*

Received two copies
H. Prayath
D/30/9/87 O/C
(G. HONNANGAPPA)

**In the Central Administrative
Tribunal Bangalore Bench,
Bangalore**

ORDER SHEET

810

Application No. of 1987

Applicant

Shri G. Honnanjeppa

Advocate for Applicant

Shri A. Krishna Bhat

Respondent

V/s The Director of Posts(HQ) B'lore & another

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
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KSPVC/LH-PM

O R D E R

This is an application made by the applicant under Section 19 of the Administrative Tribunals Act, 1985. From about 1964 the applicant is working as a Sorting Assistant in the Bangalore City RMS Office, Bangalore. In the discharge of his duties as a Sorting Assistant in that office on 15.9.1986 evidently on the reports made by his immediate superior officer, the Senior Supdt., RMS, Bangalore Sorting Division, Bangalore, who is also the Disciplinary Authority (DA), has initiated disciplinary proceedings against the applicant under Rule 14 of the CCS (CCA) Rules, 1965, and has served necessary charge memo on him dated 23.9.86. In response to the said charge memo the applicant has filed his defence statement before the DA denying the charges levelled against him. In that view DA has appointed Inquiry Officer (IO) to hold a regular inquiry and submit his report under the Rules. So far the IO has not commenced the inquiry against the applicant. But even before that the applicant has approached this Tribunal under Sec.19 of the Act challenging the very initiation of disciplinary proceedings against him on diverse grounds.

2. Shri A. Krishna Bhat, learned counsel for the applicant, contends that every one of the facts and circumstances and grounds urged by the applicant in his application justifies this Tribunal to interfere with the charge memo itself and annul the same before the inquiry is held and the disciplinary proceedings are completed against the applicant under the rules.


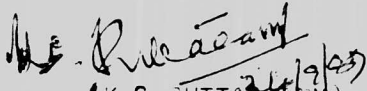


3. We have earlier noticed that in response to the charge memo, the applicant has filed his statement of defence and the matter is now seized by the IO who is



**In the Central Administrative
Tribunal Bangalore Bench,
Bangalore**

A No.810/87(F)

Order Sheet (contd)

Date	Office Notes	Orders of Tribunal
		<p>still to hold an inquiry ^{and to} submit his report. Before the inquiry is held and the report is submitted by the IC and the DA completes the proceedings which is also challengeable under the rules on question of ^{and fact} law before the Appellate Authority it would be inappropriate for this Tribunal to interfere with the very initiation of the disciplinary proceedings by the DA. In this view we decline to examine the various grounds urged before us and decline to interfere with the proceedings at this stage.</p> <p>4. In the light of our above discussion we hold that this application is liable to be rejected. We, therefore, reject this application at the stage of admission without notice to the Respondents. But this should not be understood ^{as} that this Tribunal expressing any opinion on any of the questions.</p> <p>bsv</p> <div style="display: flex; justify-content: space-between;"> <div style="text-align: center;">  (K.S. PUTTASWAMY) VICE CHAIRMAN 24.9.1987 </div> <div style="text-align: center;">  (L.H.A. REGO) MEMBER (A) 24.9.1987 </div> </div> <p style="text-align: center;">- True copy -</p> <div style="text-align: center; margin-top: 20px;">  70r DEPUTY REGISTRAR CENTRAL ADMINISTRATIVE TRIBUNAL ADDITIONAL BENCH BANGALORE </div>

DD 24.9.87.

Before the Central Administrative
Tribunal at Bangalore

Application No 810/87

Applicant: Honnangappa

vs

Respondent: Sadashiva Rao
and others.

Memo.

The undersigned prays
submit that the above petition
is dismissed in the light of
admission on 24.9.87. Hence
he prays that the extra copy
given may be returned.

Bangalore
11/2/88

(B. S. Undemane)
Advocate for Applicant
(B. S. Undemane)

No 26, II Floor
Sampangi Tank Road
Bangalore - 27.

So (B)

please return the
extra copies filed
by the applicant

Bl.
11/2

R. 11/2
S.T.

800 2/11/88
D.NO. 1794 188 IVA

SUPREME COURT OF INDIA
NEW DELHI

Dated 14-7-88

From:

The Additional Registrar
Supreme Court of India
New Delhi

To

The Central Administrative Tribunal
Bangalore Bench, Bangalore.

PETITION FOR SPECIAL LEAVE TO APPEAL (CIVIL) NO. 4343/88

(Petition Under Article 136 of the Constitution of India

for Special Leave to Appeal to the Supreme Court from

the Judgment and Order dated 24-9-87 of the

High Court of Central Administrative Tribunal,

Bangalore Bench, Bangalore in appln. No. 812/87

.....Petitioner .

Sh. G. Honnappa
vs

S. T. Basbaram and Ans.Respondents

Sir,

I am to inform you that the Petition above-mentioned
for Special Leave to Appeal to this Court was filed on behalf
of the Petitioner above-named from the judgment and Order
of the Central Administrative Tribunal, Bangalore Bench, Bangalore
of the High Court noted above and that the same was/were
dismissed by this Court on the 5th day of April,
1988.

Yours faithfully,

[Signature]
for ADDITIONAL REGISTRAR

