

Insured Parcel For Rs. 100/-

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

COMMERCIAL COMPLEX(BDA),  
INDIRANAGAR,  
BANGALORE - 560 038

O.A.No 299/87 (duplicate file)

Dated 19 -02-1993

To

The Assistant Registrar,  
Supreme Court of India,  
NEW DELHI.

Subject : DESPATCH OF ORIGINAL RECORDS - CIVIL APPEAL  
NO 2553/88 - OA NO 299/87 ON THE FILE OF  
CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE.

\*\*\*\*\*

UOI by Secy., Min. of Finance & anr

!!!! Appellants

Versus

Krishnamurthy Srinivas Agnihotri

!!!! Respondents

\*\*\*\*\*

Sir,

I am directed to refer to your letter No D 652/88/IVA dated 02-02-1993 and to say that the case Records of OA No 299/87 in file 'A' are enclosed with an Index Sheet for further action at your end. File 'B' contains only the duplicate copy of the application and reply and File 'C' has only office copy of notice and A.D Card and hence retained in this Registry as they may not be required by the Supreme Court Registry.

The receipt of the above Records may please be acknowledged and the records may be returned to this Registry when no longer required.

Yours faithfully,

*R.*  
(N. RAMAMURTHY)  
DEPUTY REGISTRAR(J)

*of*

Encls.: as per index attached.

*Smt. R.  
At 18.30 on 10.2.93  
then Des. Register R. 19/2/93  
Issued thro. Dep. Registrar  
19/2/93.*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

APPLICATION NO 299/87

Krishnamurthy Srinivas Agnihotri ..... Applicant  
Versus  
The President of India ~~and one~~ ..... Respondent/s  
*by Under Secy, M/Fin and ans.*

INDEX SHEET

FILE 'A'

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File of A.No. 299/87  
(Duplicate file)

Dated 14 February, 1995

To

The Assistant Registrar,  
Supreme Court of India,  
New Delhi.

Subject : RETURN OF ORIGINAL RECORDS - CA NO  
2553/88 - OA NO 299/87 ON THE FILE  
OF CENTRAL ADMINISTRATIVE TRIBUNAL,  
BANGALORE BENCH.

UOI by Secretary, M/o Finance and anr ::: Appellant

Versus

Krishnamurthy Srinivas Agnihotri ::: Respondent

\*\*\*\*\*

Sir,

Please refer to our letter No O.A.No. 299/87  
(duplicate file) dated 19-02-1993 and your letter D.No.  
652/88/IVA dated 07-12-1994.

It is requested that the original records  
in OA 299/87 which have been sent to your Registry  
on 19-02-1993 may kindly be returned, if no longer required.

Yours faithfully,

*[Signature]*  
(MN VIJAYAN)  
SECTION OFFICER  
(JUDL-II)

*may please see before issue*

*14/2/95*

*sr(f)*

*yes as amended*

*16/2/95*

*S(JII)*

Communications should be  
addressed to the Registrar.  
Supreme Court, by designation.  
NOT by name  
Telegraphic address :—  
"SUPREMECO"

Recd. as Regd. Letter  
No. 958-Enter in Register  
Notes added to file - O.K. if not  
done earlier  
No. 652/88/S.IVA.  
5/4/95  
J-II  
5th April  
March, 1995.

SUPREME COURT  
INDIA

Dated New Delhi, the .....XIX

FROM : The Registrar(Judicial),  
Supreme Court of India,  
New Delhi.

TO : The Registrar,  
Central Administrative Tribunal,  
Bangalore.



CIVIL APPEAL NO.2553 OF 1988.

Union of India & Anr.

...Appellants.

Versus

Krishnamurthy Srinivas Agnihotri. ...Respondent.

Sir,

In continuation of this Registry's letter of even  
number dated the 2nd/7th December, 1988, I am directed  
to transmit herewith for necessary action a certified  
copy of the Decree dated the 16th November, 1994 of the  
Supreme Court in the said appeal.

The Original Record will follow.

Please acknowledge receipt.

Yours faithfully,

*H. S. Sachdev*  
for REGISTRAR(JUDICIAL)

*Circulated to  
Hon. ve & members*

*H. S. Acharya*

Sup. C. 52

Assistant Registrar (Judl.)

5.11.1995

IN THE SUPREME COURT OF INDIA  
CRIMINAL/CIVIL APPELLATE JURISDICTION  
Supreme Court of India

587857

Nox

2x

19x

CIVIL APPEAL NO. 2553 OF 1988.

(Appeal by Special Leave from the Order dated the 17th September, 1987 of the Central Administrative Tribunal, Bangalore in Application No.299 of 1987).

1. Union of India through  
Its Secretary, Ministry  
of Finance, Department of  
Revenue, New Delhi.
2. Chief Commissioner(Administration)  
& C.I.T. Karnataka-I C R. Bldg.  
Queens Road, Bangalore-I.

...Appellants.

Versus

Krishnamurthy Srinivas Agnihotri,  
S/o Srinivasachari Agnihotri,  
I.T.O. Raichur, Bangalore.

...Respondents.

16th November, 1994.

CORAM:

HON'BLE MR. JUSTICE KULDIP SINGH.  
HON'BLE MR. JUSTICE B.L. HANSARIA.

For the Appellants: Mr. P. Parmeswaran & T.V.Ratnam, Advocates.

For the Respondent: Mr. P. Mahale, Advocate.

The Appeal above-mentioned being called on for hearing before this Court on the 16th day of November, 1994; UPON perusing the record and hearing counsel for the parties herein, THIS COURT DOTH ORDER:

1. THAT the appeal above-mentioned be and is hereby dismissed;

...2/-





2. THAT the respondent herein Do pay to the appellants herein their costs of this appeal quantified at Rs.10,000/- (Rupees Ten thousand) only;

3. THAT the Order of this Court dated the 8th August, 1988 passed in Civil Miscellaneous Petition No.3469 of 1988 in this appeal granting stay be and is hereby vacated;

AND THIS COURT DOTH FURTHER ORDER that this ORDER be punctually observed and carried into execution by all concerned;

WITNESS the Hon'ble Shri Aziz Mushabber Ahmadi,  
Chief Justice of India, at the Supreme Court, New Delhi,  
dated this the 16th day of November, 1994.

  
(J.K. RAWAL)  
ADDITIONAL REGISTRAR(JUDL.)  


# SUPREME COURT

CRIMINAL/CIVIL APPELLATE JURISDICTION

NX

~~XXXX~~

CIVIL APPEAL NO.2553 OF 1988.

Union of India & Anr.

Appellant S

~~Petitioner.~~

Versus

Krishnamurthy Srinivas Agnihotri.

Respondent

CENTRAL ADMINISTRATIVE TRIBUNAL, BANGALORE.  
Appln. No.299 of 1987.

DECREE DISMISSING THE APPEAL WITH QUANTIFIED COSTS  
TO THE APPELLANT.

Dated the 16th day of November, 1994.

Parmeshwaran,

State on Record for the Appellants.

Compared with SHRI Padma Mahale,

No. of folios Advocate on Record for the Respondent.

SEALED IN MY PRESENCE

15/11/94

SECTION IV-A

D.No. 652/88/IV-A. /Sec. IV-A

SUPREME COURT OF INDIA  
NEW DELHI.

DATED 27.3.1993

From:

The Assistant Registrar,  
Supreme Court of India,  
New Delhi.

To: The Registrar,  
~~High Court of Karnataka~~ Central Admn. Tribunal,  
At Bangalore.

CIVIL APPEAL NO 2553 OF 1988  
(High Court O.A.No.299 of 1987.)

Union of India & Anr.

.. Appellant

-Versus-

Krishnamurthy Srinivas Agnihotri

.. Respondent

Sir,

I am directed to acknowledge the receipt of **Original Record**  
sent with your letter No. \_\_\_\_\_ dated the  
19th February, 1993 in the appeal above-mentioned.

Yours faithfully

ASSISTANT REGISTRAR

arun/-

JIT  
6/4  
5/12

Pl. enter in the Register &  
files sent to S.C. Registry & in Register  
& add to file

B  
6/4  
So (JIT) 18-1-8.

B-125.



Read as Regd. letter No. 264.  
R 12/12/94.



SECTION-IV A.

Pl enter in S.P Register, main Register  
& add to duplicate file & note there after.  
O to a copy of this with a copy of O.A.  
order as per R.143 of Rop'93.

Later send a ~~Demanded~~ letter to S.C.

D.NO. 652/88/IV-A. Registry for  
SUPREME COURT OF INDIA  
NEW DELHI.

DATED: 2.12.1994  
7-12-94

Return of  
Records

16/12/94

From:

The Assistant Registrar,  
Supreme Court of India,  
New Delhi.

To:

The Registrar,  
Central Administrative Tribunal,  
Bangalore Bench, Bangalore.

16/12/94  
Sd/- JII

CIVIL APPEAL NO(S). 2553 of 1988  
(Application no.299 of 1987)

Union of India & Anr.

... Appellant(s).

-Versus-

... Respondent(s).

Krishnamurthy Srinivas Agnihotri

Sir,

In pursuance of Order XIII, Rule 6, S.C.R.1966, I  
am directed by their Lordships of the Supreme Court to  
transmit herewith a certified copy of the Order dated 16.11.1994  
in the Appeal above-mentioned. The Certified copy of  
the Decree made in the said Appeal will be sent later on.

Please acknowledge receipt.

Yours faithfully,

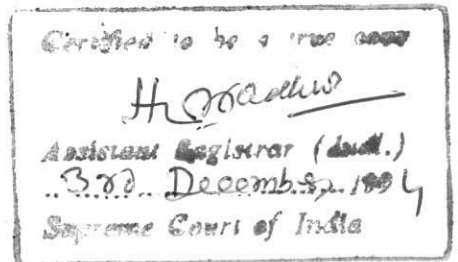
H. S. Srinivas  
Sd/-

ASSISTANT REGISTRAR.

Copy to:-

ASSISTANT REGISTRAR.

CA-2553/88  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 2553 OF 1988



Union of India & Anr.

..Appellants

VERSUS

554695

Krishnamurthy Srinivas Agnihotri

..Respondents

O R D E R

K.S. Agnihotri, respondent in the appeal herein, was working as Income Tax Officer, Group-B. As a result of disciplinary proceedings, he was awarded the punishment of removal from service. He challenged the order of removal before the Central Administrative Tribunal, Bangalore. The Tribunal by the judgment dated September 17, 1987 interfered only with the quantum of punishment and by setting aside the punishment of removal awarded the punishment of compulsory retirement. This appeal by the Union of India is against the judgment of the Tribunal.

It is no doubt correct that in view of the law laid down by this Court in various judgments the Central Administrative Tribunal should not have interfered with the quantum of punishment; but keeping in view the facts and circumstances of this case, we are not persuaded to interfere with the judgment of the Tribunal in our jurisdiction under Article 136 of the Constitution of

India and as such the appeal is dismissed. We, however,  
direct the respondent to pay the cost of the appellant,  
which we quantify as Rs.10,000/-.

New Delhi,  
November 16, 1994.

Sd/-

.....J  
(KULDIP SINGH)

Sd/-

.....J  
(B.L.HANSARIA)

All communications should be addressed to the Registrar, Supreme Court, by designation. NOT by name  
Telegraphic address :—  
"SUPREMECO"

No. 652/88/S.IVA.

SUPREME COURT  
INDIA

Dated New Delhi, the ..... March, 1995. 79x

8<sup>th</sup> May 1995

FROM : The Assistant Registrar,  
Supreme Court of India,  
New Delhi.

TO : The Registrar,  
Central Administrative Tribunal,  
Bangalore.

CIVIL APPEAL NO. 2553 OF 1988.



Union of India & Anr.

...Appellants.

Versus

Krishnamurthy Srinivas Agnihotri. ...Respondent.

Sir,

In continuation of this Registry's letter of even number dated the 19 , I am directed to transmit herewith the ~~XXXXXX~~ Original Record relating to the matter, forwarded to this Court under your letter O.A.No.299/87 . . dated the 19th February, 1993, as per the details given below.

Please acknowledge receipt.

Yours faithfully,

*H. S. Adhikari*  
5/11/95  
ASSISTANT REGISTRAR.

DETAILS OF ORIGINAL RECORD:

Case records of O.A.No.299/87  
in file 'A'.