

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : **31 MAY 1988**

APPLICATION NO

1053

/87(F)

W.P. NO.

Applicant

Smt N.A. Vijaya
To

Respondent

V/s

The Divisional Engineer, Telegraphs,
Mysore & another

1. Smt N.A. Vijaya
30/2, Gurudeva Street
N.T. Road
Shimoga - 577 201
2. The Divisional Engineer
Telegraphs
Mysore Division
Mysore - 570 001
3. The Director Telecom
Bangalore Area
Krishna Complex
Seshadri Road
Gandhinagar
Bangalore - 560 009
4. Shri M. Vasudeva Rao
Central Govt. Sng Counsel
High Court Building
Bangalore - 560 001

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 on 23-5-88.

Handwritten signature
DEPUTY REGISTRAR
(JUDICIAL)

Handwritten signature
Encl : As above

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 23RD DAY OF MAY, 1988

Present | Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
| Hon'ble Shri L.H.A. Rego, Member (A)

APPLICATION NO. 1053/87

Smt. N.A. Vijaya,
W/o Shri L. Shashidhar,
Telephone Operator,
Telephone Exchange,
Krishnaraja Nagar.

.... Applicant

v.

1. The Divl. Engineer,
Telegraphs,
Mysore Division,
Mysore.

2. Director Telecom,
Bangalore Area,
Bangalore.

.... Respondents.

(Shri M. Vasudeva Rao, C.G.A.S.C.)

This application having come up for hearing to-day,
Vice-Chairman made the following:

O R D E R

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985 (Act).

At the material time, the applicant was working as a
Telephone Operator in the Telephone Exchange, Krishnaraja-
Nagara of Mysore District.

3. On 6.9.1983, the Divisional Engineer, Telegraphs,
Mysore Division, Mysore and the Disciplinary Authority (DA)
initiated disciplinary proceedings against the applicant
under Rule 14 of the Central Civil Services (Classification,



Control and Appeal) Rules, 1965 (Rules) on the charge appended to the memorandum of that date. In answer to the same, the applicant filed her statement of defence denying the charge levelled against her. On that, the DA appointed one Shri K. Ganapathy, Accounts Officer, Office of General Manager, Telecom, Bangalore as the Inquiry Officer (IO) to hold regular inquiry into the truth or otherwise of the charge and submit his report, who accordingly held an inquiry and submitted his report to the DA holding that the applicant was guilty of the charge levelled against her.

4. On an examination of the report of the IO and the records, the DA by his Memo No.Q-2633/Disc./16 dated 29.11.1985, concurring with the report of the I.O., inflicted the penalty of removal from service on the applicant. Aggrieved by the same, the applicant has filed an appeal on 20.1.1986 before the Director, Telecom, Bangalore Area, the designated appellate authority (AA) under the Rules.

5. The DA had made an order on 2.4.1986 regulating the periods of absence of the applicant. Aggrieved by this order also the applicant has filed another appeal before the AA.

6. Both the appeals filed by the applicant have not so far been disposed of by the AA.

7. Smt. N.A. Vijaya, the applicant who appeared in person and argued her case contends that the statutory



appeals filed by her before the AA had not been disposed of by him within a reasonable time and in so doing he had not performed the legal duty enjoined on him.

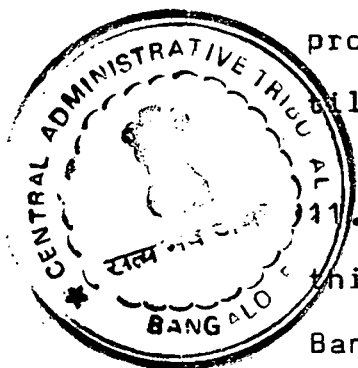
7. Shri M. Vasudeva Rao, learned Additional Central Government Standing Counsel appearing for respondents, without disputing that the AA had not disposed of the appeals, prays for a reasonable time to decide the appeals by the AA.

8. The appeals filed by the applicant before AA are statutory appeals.

9. Whenever statutory appeals are filed before any authority, that authority is bound to decide them within a reasonable time. We do not see any good grounds for the delay in the disposal of the appeals filed by the applicant so far. We are somewhat distressed at the same. But notwithstanding ^{the same,} it is now necessary to grant a reasonable time to the AA to decide the appeals filed by the applicant.

10. On the facts and circumstances, we consider it proper to grant time to the AA to dispose of the appeals till 31.7.1988.

In the light of our above discussion, we allow this application in part and direct the Director of Telecom, Bangalore Area, Bangalore (respondent-2) to dispose of the two appeals filed by the applicant and pending before him, with all such expedition as is possible in the circumstances of the case and in any event on or before 31st July, 1988 affording an opportunity of oral hearing to the applicant

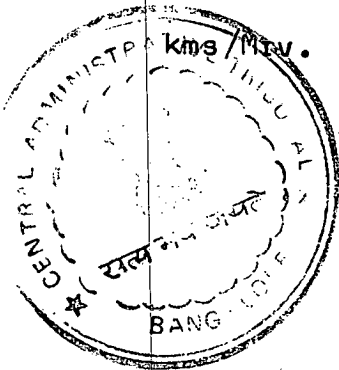


if she seeks for the same.

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

Sd/-
VICE-CHAIRMAN 22/5/98

Sd/-
MEMBER (A) 23.5.98



TRUE COPY

[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE 21/5/98