

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 6 FEB 1989

APPLICATION NO (S) 1565 /88(F)

W.P. NO (S) /

Applicant (s)

Respondent (s)

Shri A. Ramachandra  
To

V/s The Asst. Commissioner of Income Tax,  
Mangalore & 2 Ors

1. Shri A. Ramachandra  
Babuganiga Compound  
Attavar, Chakrapani  
Mangalore - 1
2. The Assistant Commissioner of Income Tax  
Investigation Circle  
Mangalore
3. The Deputy Commissioner of Income Tax  
Mangalore Range  
Mangalore
4. The Chief Commissioner of Income Tax  
Karnataka  
Central Revenue Buildings  
Queen's Road  
Bangalore - 560 001
5. Shri M.S. Padmarajaiah  
Central Govt. Sng Counsel  
High Court Building  
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY/INTERIM ORDER~~  
passed by this Tribunal in the above said application(s) on 30-1-89.

*Issued*  
*K. m. m.*  
*6-2-89*

*qc*

*B. V. Subramanyam*  
DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 30 TH DAY OF JANUARY, 1989

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

APPLICATION NO. 1565/1988

Shri A. Ramachandra,  
Grade-D,  
Income Tax Office,  
Babuganiga Compound,  
Attavar, Chakrapani,  
Mangalore-1.

.... Applicant.

v.

1. The First Income Tax Officer,  
Now designated as Asst.  
Commissioner of Income Tax,  
Investigation Circle,  
Mangalore.

2. Deputy Commissioner of  
Income Tax, Mangalore Range,  
Mangalore.

3. The Chief Commissioner of  
Income tax, Karnataka,  
Bangalore.

.... Respondents.

(Shri M.S. Padmarajaiah, C.G.S.S.C.)

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

ORDER

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

2. In a disciplinary proceeding instituted against him,  
the Disciplinary Authority (DA) by his order made on 10.4.1987  
had imposed on the applicant the penalty of removal from  
service. Aggrieved by the said order of the DA, the applicant  
had filed an appeal before the Appellate Authority (AA) as



early as on 21.8.1987, which had not so far been disposed of by him. Hence, this application.

3. The applicant had stated that he does not propose to appear in person and argue his case. We therefore proceed to examine his case on the application and the records.

4. Shri M.S. Padmarajaiah, learned Senior Central Government Standing Counsel, appearing for the respondents does not dispute that the AA had not so far disposed of the appeal filed by the applicant.

5. Against an order of removal made by the DA an appeal lies to the AA under the Rules both on questions of fact and law. Whenever such an appeal is filed, that too against an order of removal, the AA is expected to dispose of the same with all such expedition as is possible in the circumstances of that case. We regret to notice that the AA had not so far disposed of the appeal filed by the applicant. On this it is necessary to direct the AA to dispose of the appeal filed by the applicant without any further loss of time. Shri Padmarajaiah seeks for atleast 3 months time to dispose of the appeal filed by the applicant. We consider it proper to grant time till 31.3.1989.

6. In the light of our above discussion, we allow this application in part and direct the AA to dispose of the appeal filed by the applicant with all such expedition as is possible in the circumstances of the case and in any event on or before 31.3.1989 in accordance with law and

the observations made by the Supreme Court in RAMCHANDER  
v. UNION OF INDIA (AIR 1986 SC 1173).

7. 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

20/1/87

Sd/-

MEMBER (A)

20/1/87

TRUE COPY



*[Signature]*  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE