

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 6 FEB 1989

APPLICATION NO (S) 1565 /88(F)

W.P. NO (S) /

Applicant (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. Stng Counsel
High Court Building
Bangalore - 560 001

Respondent (s)

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

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

*Arrears
K. M. M.
6-2-89*

dc *R. Venkatesh*
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

TRUE COPY

Sd/-

MEMBER (A) T.S. 1. 4987



R.V. [Signature]
DEPUTY REGISTRAR (JULY 67)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE