

-3-

# In the Central Administrative Tribunal Bangalore Bench Bangalore

ORDER SHEET [Contd.]

C.P[Civil] Application No. 26/ of 1993

Applicant

Secy. Defence. No. 100  
Respondent

MA No. 148/94

in CA No. 651/91

And y. Souri

Advocate for Applicant

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
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PKS(VC)/TUR(MA)  
15-3-94

Heard Shri M.V. Rao,  
counsel for the applicants in  
MA 148/94 filed for extension  
of time. Shri M.S. Anandaramu  
for the respondent not present.  
Under the circumstances, as a  
last chance, we extend time  
by another 2 months. No  
further extension.

Delay in filing  
MA 148/94 is condoned.

Sd/-

Sd/-

& Shauhar  
21/3

M.A)

V.L.

STAMP  
BANK

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Dated: 21 MAR 1994

Miscellaneous APPLICATION NO(s) 148 of 1994 in OANo. 651/91

APPLICANTS: Ansley Souri vs. RESPONDENTS: Secretary, M/o. Defence,  
New Delhi and others

TO.

1. Sri. M. S. Anandaramu,  
Advocate, no. 27, 1st Main,  
Chandrashekar Complex,  
Randhinagar, Bangalore 9.
2. The Director,  
Gas Turbine Research Establishment,  
C.V. Raman Nagar Post, Bangalore 560093
3. Sri. H. Vasundhar Rao,  
Asst. C.G.S.C.,  
High Court Bldg, Bangalore-1

SUBJECT:- Forwarding of copies of the Orders passed by  
the Central Administrative Tribunal, Bangalore.  
-xxx-

Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 15.03.94.

Issued  
21/3/94

O/C

S. Shanmugam  
As DEPUTY REGISTRAR 21/3  
JUDICIAL BRANCHES.

gm\*

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

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-38.

Contempt Petition No.26 of 1993iin

Dated: 18 NOV 1993

APPLICATION NO(s) 651 of 1991.

APPLICANTS: Ansday Souri v/s. RESPONDENTS: Sri.A.K.Bhatnagar, Secretary,  
Ministry of Defence, New Delhi & Others.

TO.

1. Sri.M.S.Anandaramu,  
Advocate, No.27,  
First Main Road,  
Chandrashekar Complex,  
Gandhinagar, Bangalore-9.
2. The Director,  
Gas Turbine Research Establishment,  
Suranjanda Road, Post Box No.7577,  
Bangalore-560 075.
3. Sri.M.Vasudeva Rao,  
Central Govt.Stng.Counsel,  
High Court Bldg, Bangalore-1.

SUBJECT:- Forwarding of copies of the Orders passed by  
the Central Administrative Tribunal, Bangalore.

-xxx-

Please find enclosed herewith a copy of the  
ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal  
in the above mentioned application(s) on 10th Nov'1993.

*for* *18/11/93*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

*Issued*  
*22/11*

*O/c*

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

CONTEMPT PETITION (CIVIL) NUMBER 26 OF 1993

DATED THIS THE 10TH DAY OF NOVEMBER, 1993

Mr. Justice P.K. Shyamsundar, .. Vice-Chairman.

And

Mr. V. Ramakrishnan, .. Member(A).

Ansley Souri,  
S/o R. John Souri,  
Aged about 53 years,  
Foreman, Gas Turbine Research and  
Development Organisation (now illegally  
removed from service) and residing at  
No. EN 32, BEML, Salvage Road,  
G.M. Palya, Bangalore-560 075.

.. Petitioner.

(By Advocate Shri M.S. Ananda Ramu)

v.

1. Sri A.K. Bhatnagar,  
Secretary, Ministry of Defence,  
Government of India,  
Central Secretariat,  
New Delhi-110 011.
2. Sri Abdul Khalam,  
Scientific Adviser to the Minister  
of Defence and the Director General  
of Research and Development,  
Government of India,  
Directorate of Personnel,  
DHO PO, New Delhi-110 011.
3. Sri Krishnan,  
Director, Gas Turbine Research  
Establishment, Research and Development  
Organisation, Sur-ranjanda Road,  
Post Box No. 7577,  
Bangalore- 560 075.

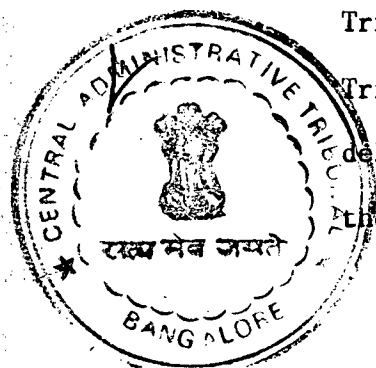
.. Respondents.

(By Standing Counsel Shri M. Vasudeva Rao)

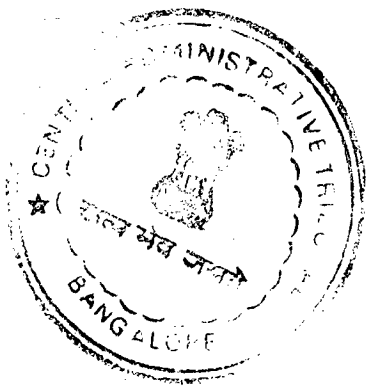
ORDER

Mr. Justice P.K. Shyamsundar, Vice-Chairman:

There is some delay in complying with the order of this Tribunal. It is not disputed that all directions given by the Tribunal have since been complied with although after slight delay of 4 months which the department sincerely regrets. In the circumstances we see no reason to pursue this contempt



petition which stands disposed of without any order. Learned counsel for the petitioner tells us now that the Tribunal's order has been complied with, by computing the retiral benefits since the year the petitioner became entitled to, the same will have to be made over to him and suggests that the department should not drag its feet in the matter. We agree and direct the department to settle the issue relating to retiral benefits within three months from the date of receipt of a copy of this order. Let a copy of this order be sent to the respondents early.



Sd/-  
MEMBER(A)

Sd/-  
VICE-CHAIRMAN.

TRUE COPY

*[Signature]*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL LEGAL  
BANGALORE

18/11/93

## CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE.

DATED THIS THE 13TH DAY OF APRIL, 1993.

## PRESENT:

Hon'ble Mr. Justice P.K. Shyamsundar, ... Vice-Chairman.  
And  
Hon'ble Mr. V. Ramakrishnan, ... Member(A)

APPLICATION NUMBER 651 OF 1991

Sri Ansley Sourì,  
S/o R. John Sourì, aged about 46  
years, Foreman, Gas Turbine  
Research Establishment,  
Research and Development  
Organisation (now illegally  
removed from service) and  
residing at C/o Rajan Stores,  
Vibuthipuram, Marathalli P.O.,  
Bangalore-37.

(by Sri V.S. Naik, ... Advocate) ... Applicant.

v.

1. The Union of India  
represented by the Secretary  
to the Government of India,  
Ministry of Defence,  
NEW DELHI-110011.
2. The Scientific Adviser to  
the Minister of Defence  
and the Director General of  
Research and Development,  
Government of India,  
Directorate of Personnel,  
DHO PO, NEW DELHI-110011.
3. The Director, Gas Turbine  
Research Establishment,  
Research and Development  
Organisation, Sur-ranjanda  
Road, Post Box No. 7577,  
Bangalore-75.

... Respondents.

(by Sri M.V. Rao, Advocate)

This application having come up for admission  
after notice, Hon'ble Vice-Chairman made the following:-



O R D E R

After having heard the matter for considerable time although we had doubts about our entitlement to investigate the applicant's complaint, we now find that the order of the Appellate Authority(AA) challenged herein apart from the original order is something that cannot bear judicial scrutiny. The AA has not applied his mind to the points arising before it. Under the circumstances we think it just and proper to allow this application in part leading to the quashing of the AA's order at Annexure 'M'. The AA will now re-consider the appeal and dispose off the same on merits in accordance with law bearing in mind the observations made herein. The AA will dispose off the appeal de novo within a period of three months from the date of receipt of a copy of this order. We also make an observation as urged by counsel for the applicant that in all probability and considering the facts and circumstances of the case, if the AA converts the punishment of removal into one of compulsory retirement, that should

....3/-

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satisfy the applicant. We see no reason  
way that should not be done if not anything  
else. But of course <sup>it</sup> is a matter <sup>for</sup> your consideration  
by the AA and we do not want to say anything further.

Sd-

MEMBER(A)

Sd-

VICE CHAIRMAN



TRUE COPY

*[Signature]*  
28/6/93  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE