

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-560 038.

Dated: 19 JUL 1993

APPLICATION NO(s). 102 / 193

Applicant(s)

Respondent(s)

1. M.V. Krishna Murthy vs Dy Chief Mechanical

V. Krishna Murthy

*M.V. Krishna Murthy, NO. 1287, Grandhi Nagar,
Khalasi Wheel & Axle Plant, Yelahanka,
Bangalore-64. - Bench 64*

2 The Dy Chief Mechanical Engineer,
(Axle) Wheel and Axle Plant, Yelahanka,
Bangalore-64.

3 The General Manager, (Personnel Branch),
Wheel and Axle plant, Yelahanka,
Bangalore-64.

4 The Chief Mechanical Engineer (Axle)
Wheel and Axle Plant, Yelahanka,
Bangalore-64.

5 Sri S. Ranganatha Rao, Advocate,
No. 36, Vaidya, Shanthi Park,
Shanthi Park, Bangalore-6.

6 Sri A.N. Venugopal, No. 8, R.I. Road
1st Floor, opposite Bangalore Hospital,
Bangalore

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

Please find enclosed herewith a copy of the ORDER/
~~STAY/INTERIM ORDER~~ passed by this Tribunal in the above said
application(s) on 27.9.93

Old Issued
for

[Signature]
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS DAY THE ^{2nd} 1ST OF JULY, 1993

Present: Hon'ble Justice Mr.P.K.Shyamsundar Vice Chairman
Hon'ble Mr.V. Ramakrishnan Member (A)

APPLICATION NO.102/93

Shri M.V. Krishnamurthy,
Working as Semi-Skilled Khalasi,
Wheel & Axle Plant,
Yelahanka,
Bangalore -64

Applicant

(Shri H.S. Jois - Advocate)

v.

1. The Deputy Chief Mechanical Engineer(Axle) Wheel & Axle Plant, Yelahanka, Bangalore - 64
2. The General Manager(Personnel Branch), Wheel & Axle Plant, Yelahanka, Bangalore-64
3. The Chief Mechanical Engineer(Axle) Wheel & Axle Plant, Yelahanka, Bangalore - 64

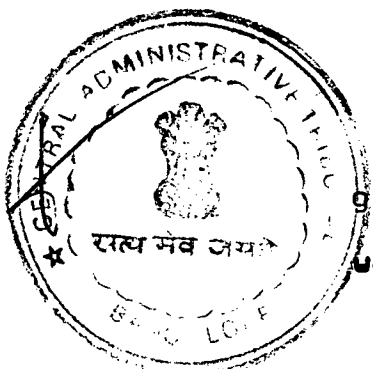
Respondents

(Shri A.N. Venugopal - Advocate)

This application has come up today before this Tribunal for orders. Hon'ble Justice Mr.P.K. Shyamsundar, Vice Chairman made the following:

ORDER

At the moment, we do not propose to go into the mode of enquiry at which the applicant was tried and later on punished albeit submissions



were made that the enquiry itself was very
^{perfunctory}
predominantly and conducted in such a way that
it did not afford the applicant proper opportunity
to defend himself. On this aspect of the matter,
we do not wish to say anything but we notice that
the order imposing punishment on the applicant
against which the applicant preferred an appeal
as provided under the rules, is stated to have
been disposed off. After a careful consideration
of the grounds raised in support of the appeal and
endorsement pertaining to the appellate order
disposing off the appeal provided at Annexure-5,
we notice that the applicant was even heard by the
appellate authority but instead of providing him
with a full resume of the appellate order giving
the reasons indicating the consideration of the
appeal in an objective fashion, the authorities
have simply furnished the operative portion
of the appellate order which merely says having
taken into consideration all the material on
record the man was heard and thereafter the appeal
was dismissed. This really is the purport of the
endorsement referred to supra. It is contended
by the Railways that the applicant had a right
of revision which should have been exhausted before
approaching this Tribunal. Such a requirement is
enjoined by clause 20 of the Administrative Tribunals
Act. The emphatic reply on the part of the applicant
is that on the basis of the cryptic endorsement
indicating disposal of his appeal, no useful purpose
would have been served.

2. We agree that no useful purpose would have been served by asking the applicant to go before the revising authority requesting for a revision of the appellate order where only the operative portion thereof is made available.

3. In the circumstances, we think it appropriate to quash the endorsement at Annexure-5 and direct the appellate authority to make available a full text of its order to the applicant so that he may satisfy himself about the manner in which his appeal had been dealt with and what is more it would also enable him to approach the revisional authority for redressal of his grievance. This application succeeds and is allowed to the foregoing extent only. A copy of the appellate order (full text) shall be furnished to the applicant within a fortnight from the date of this order so that the applicant may prefer a revision petition if he desires to agitate the matter further. All contentions raised herein but not considered are left open for consideration at a later stage if need be. No costs.



Sd-
MEMBER (A)

Sd-
TRUE COPY VICE CHAIRMAN

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

19/7/93