

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

ORIGINAL APPLICATION NUMBER 324 OF 1994

FRIDAY THIS THE 7TH DAY OF APRIL, 1994.

Mr. Justice P.K. Shyamsundar, ... Vice-Chairman.  
Mr. T.V. Ramanan, ... Member(A)

Norman Fernandez,  
S/o Thomas Fernandez,  
A/a 59 years,  
R/at No. 108A, Central Excise Colony,  
Gokul Road, Hubli-30.

.. Applicant.

(By Advocates M/s Patil & Patil)

v.

1. The General Manager,  
South Central Railway,  
"Rail Nilayam",  
Secunderabad.
- 2 The District Controller of Stores,  
South Central Railway,  
Gadag Road, Hubli.

.. Respondents.

(By Standing Counsel Shri A.N. Venugopal)

ORDER

Hon'ble Mr. Justice P.K. Shyamsundar, Vice-Chairman:-

Having heard both sides, we admit this application and dispose it off as under. The only point that arises for consideration is as to why the department should have taken more than a year to dispose off an inquiry case pending before it since July, 1987. We are told, the crucial stage of transmitting the inquiry report was reached on 30-12-1992, but by then the applicant retired on 31-7-1992. Since the disciplinary inquiry was pending notwithstanding his retirement, it had to be continued and concluded. The applicant had, it appears, also tendered his comments apropos the inquiry officer's report, on 16-2-1993



as could be seen from the copy produced at Annexure-A4. We are in the month of April, 1994. But, still no decision has been taken by the disciplinary authority in the matter of the pending inquiry. We express our extreme consternation about this delay which is totally unwarranted and unjustified as well. But, Shri A.N.Venugopala Gowda, learned Standing Counsel for the respondents submits that the disciplinary authority has already taken a decision in the matter but is awaiting the clearance by the ministry. Be that as it may, that does not concern us. We must go on record stating that an inquiry which commenced in 1987 is still lingering without any final orders being passed. We think this kind of torturous progress in the matter of a disciplinary inquiry cannot at all be countenanced. Probably we would have been justified in passing some final order here itself but for the persuasive submissions of Shri Venugopala Gowda who asks us to set a dead line to the department in concluding the disciplinary inquiry and thereafter if the department is found to be meandering still we may then pass appropriate orders. We agree and dispose off this application directing the administration to complete and conclude the inquiry making some order thereon i.e., whatever is permissible under law within 3 months from the date of receipt of a copy of this order. We direct a copy of this order be furnished to the respondents for information and necessary action.

Sd/-  
MEMBER(A)

Sd/-  
VICE-CHAIRMAN.

Sd/-  
20/4

ADDITIONAL  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated:- 20 APR 1994

APPLICATION NUMBER: 324 of 1994.

APPLICANTS:

Sri.Norman Fernandez  
To.

RESPONDENTS:

v/s. The General Manager, South Central  
Railways, Secunderabad and Others.

1. M/s. Patil and Patil, Advocates, No.1, Second Floor,  
Swastik Complex, Seshadripuram, Bangalore-560020.
2. The General Manager, South Central Railway,  
Rail Nilayam, Secunderabad.
2. The District Controller of Stores,  
South Central Railway, Gadag Road, Hubli.
4. Sri.A.N.Venugopala Gowda, Advocate,  
No.8/2, First Floor, R.V.Road, Bangalore-4.

Subject:- Forwarding of copies of the Orders passed by the  
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 07-04-1994.

Issued on  
20/4/94  
R

of  
c

*[Signature]*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated:- 15 JUL 1994

Miscellaneous Application No.287/94 in

APPLICATION NUMBER: \_\_\_\_\_ 324 of 1994.

APPLICANTS:

RESPONDENTS:

Sri.Norman Fernandez v/s. General Manager, South Central Railways,  
To. Secunderabad and Others.

1. Sri.Patil and Ratil, Advocates, No.1, Second Floor,  
Swastik Complex, Seshadripuram, Bangalore-560020.
2. The District Controller of Stores,  
South Central Railways, Hubli.
3. Sri.A.N.Venugopala Gowda, Advocate,  
No.8/2, First Floor, R.V.Road, Bangalore-560004.

Subject:- Forwarding of copies of the Orders passed by the  
Central administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/, passed by this Tribunal in the above  
mentioned application(s) on 06th July, 1994.

Issued on  
18/7/94  
R

of  
/c

*S. S. Rao*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

Applicant:- Norman Fernandez Vs. G.M. Railway, Secunderabad.

OA NO. 324/94

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Date

Office Notes

Orders of Tribunal

PKSVC/TVRMA

6th July 1994

Orders on MA No.287/94:

Heard both sides. We think it appropriate to extend time by four months making it clear that no further extension will be granted.

MEMBER [A]

VICE-CHAIRMAN



TRUE COPY

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