

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Contempt Petition No.66 of 1994 IN Dated: 16 JAN 1995

APPLICATION NO: 179 of 1994

APPLICANTS:- Mr.D.B.Mariswamy,Mysore.

v/s.

RESPONDENTS:- Mr.K.Raj Shukla,General Manager,Southern Railway,  
Madras.

To

1. Sri.K.V.Shamanna, Advocate,  
No.1465, Fourteenth Main,  
West of Chord Road,  
Mahalakshmiapuram,  
Bangalore-560 086.
2. Sri.K.Raj Shukla,  
General Manager,  
Southern Railway,  
Park Town, Madras-600 006.
3. Sri.A.N.Venugopala Gowda,  
Advocate, No.8/2, Upstairs,  
R.V.Road, Bangalore-560004.

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

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on Sixth January, 1995.

Issued on

16/01/95  
OK

of

for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: :BANGALORE

CONTTEMPT PETITION NO.66/94

FRIDAY, THE SIXTH DAY OF JANUARY, 1994

SHRI V.RAMAKRISHNAN.

... MEMBER (A)

SHRI A.N.VUJJANARADHYA.

... MEMBER (J)

D.B.Mariswamy,  
S/o Late Shri Byraiah,  
aged about 57 years,  
Assistant Engineer/Construction.  
Southern Railway,  
MYSORE.

... Complainant

By Advocate Shri K.V.Shamanna.

Versus

Shri K.Raj Shukla,  
General Manager,  
Southern Railway,  
MADRAS.

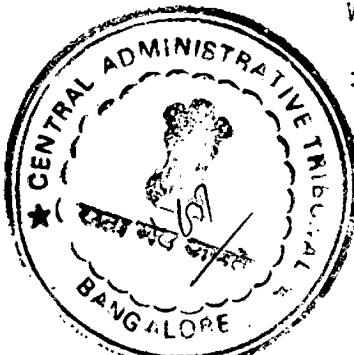
... Respondent

By Advocate Shri A.N.Venugopal Gowda.

O R D E R

SHRI V.RAMAKRISHNAN, MEMBER (A)

We have heard Shri K.V.Shamanna for the complainant and Shri A.N.Venugopal Gowda for the alleged contemners. We have perused the objection statement of the respondent from where it is clear that the Enquiry Officer has completed his enquiry and submitted his report and the



same has been furnished to the complainant. We are informed that this report <sup>was</sup> furnished to the complainant on 22.12.1994. Shri Shamanna states that the complainant has filed his reply to the enquiry report on 28.12.1994. Shri Venugopal Gowda assures us that if such is the position, the Disciplinary Authority will ensure that the proceedings are completed before the end of January, 1995. He also states that there has been a delay in complying with the directions of this Tribunal, for which the alleged contemners have expressed their apology and prays that the contempt proceedings may be dropped.

2. In view of the position as abrought out above, we direct that the Disciplinary Authority should take a final decision on the matter and communicate the same to the complainant before 31st January, 1995. With the above direction, the contempt petition is disposed of and the alleged contemners are discharged. We, however, make it clear that in case the present direction is not complied with by the respondent before 31.1.1995, the complainant will be at liberty to approach this Tribunal. A copy of this order may be forwarded to the General Manager, Southern Railways, Park Town, Madras-600 003.



Sd/-

• 01/17  
N. VUJJANARADHYA  
MEMBER (J)

Sd/-

• 01/17  
(V. RAMAKRISHNAN)  
MEMBER (A)

TRUE COPY

Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: 6 FEB 1995

Miscellaneous APPLICATION NO: 61 of 1995 in C.P.No.66/94.

APPLICANTS:- Sri.D.B.Mariswamy,Mysore.

V/S.

RESPONDENTS:- Mr.K.Rajshukla,General Manager,Southern  
Railways, Madras.

To

1. Sri.K.N.Venugopala Gowda, Advocate,  
No.8/2, First Floor, R.V.Road,  
Bangalore-560 004.

2. Sri.K.V.Shamanna, Advocate,  
No.1465, Fourteenth Main,  
West of Chord Road, Mahalak-  
shmpuram, Bangalore-560 086.

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

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 01-02-1995.

Issued on  
6/2/95

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*Vijay*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

In the Central Administrative Tribunal  
 Bangalore Bench  
 Bangalore

MA No: 61/95 iii  
 Contempt Application No. 66 of 1994.

Sri. D. B. Mariswamy, v/s. Mr. K. Rajshukla, G.M. S. Railways.

ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
		<p>VR(MA)   ANV(MJ)      1.2.95</p> <p>MA 61/95 is filed on the ground that the post of General Manager is vacant and therefore the enquiry could not be proceeded with, within the time granted, hence this MA seeking extension of time by a further period of 3 Months.</p> <p>Heard.</p> <p>MA 61/95 is allowed and the time is extended by a further period of 3 months.</p> <p>Sri Anil Gowda submits that he has informed Mr. Shamanna, and he has no objection, if the time is extended.</p> <p>Sir</p> <p>Sir</p>



TRUE COPY

*May 10/95*  
 m (J)  
 Section Officer  
 Central Administrative Tribunal  
 Bangalore Bench  
 Bangalore

m (A)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Contempt Petition No.66 of 1994 in

Dated: 28 FEB 1995

APPLICATION NO: 179 of 1994.

APPLICANTS:- Sri.D.B.Mariswamy, Mysore

V/S.

RESPONDENTS:- Sri.K.Rajshukla, General Manager,  
Southern Railway, Madras and others.

To.

1. Sri.K.V.Shamanna, Advocate,  
No.1465, Fourteenth Main ,  
West of Chord Road,  
Mahalakshmiipuram, Bangalore-86.
2. Sri.A.N.Venugopala Gowda,  
Advocate, No.8/2, Upstairs,  
R.V.Road, Bangalore-560004.

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

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Please find enclosed herewith a copy of the ORDER/  
STAY ORDER/INTERIM ORDER/ passed by this Tribunal in the above  
mentioned application(s) on 15-02-1995.

Issued on  
28/02/95

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*dy*  
for DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

**In the Central Administrative Tribunal  
Bangalore Bench  
Bangalore**

C.P.(CIVIL) Application No.....66.....of 1994

IN O.A.No.179/94  
ORDER SHEET (contd)

D.B. Marikwamy *W/S General Manager, Southern Railway, Mysore.*

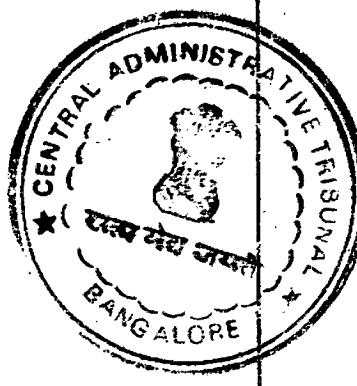
Date	Office Notes	Orders of Tribunal
		<p><u>VR(MA)/ANV(MO)</u> 15.02.1995</p> <p>We have heard Shri Shamanna for the complainant and Shri A.N. Venugopal for the respondent department. The direction of the Tribunal in O.A.No.179/94 disposed of on 25.1.1994 was that the General Manager, Southern Railway, should proceed and conclude with the enquiry pending against the complainant within a certain period. Shri Venugopal now tells us that the proceedings against the complainant are for imposition of major penalty and that in terms of the relevant rules, only Railway Board is the competent disciplinary authority. In view of the position brought out now, the fact that the post of General Manager, Southern Railway, is vacant at present is not material. Shri Venugopal prays for extension of some time as the matter has to be considered by the Railway Board who are to pass appropriate orders.</p> <p>After hearing both sides, we deem it appropriate to extend time upto 31.3.1995 keeping in view the fact that the complainant is retiring in July, 1995.</p>

*Sd/-*

MEMBER (J)

*Sd/-*

MEMBER (A)



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*15/2/95*  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore