

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
BANGALORE - 560 030.

Dated: 24 MAR 1995

APPLICATION NO. 776 of 1995.

APPLICANTS: Sri.G.G.Gurappa, Bangalore.

V/S.

RESPONDENTS: The Chief Administrative Officer,
National Dairy Research Institute,
Karnal, Haryana and two others.,

To

1. Sri.S.Ranganatha Jois, Advocate,
No.36, Shankara park, Vagdevi,
Shankarapuram, Bangalore-560004.
2. The Chief Administrative Officer,
National Dairy Research Institute,
Karnal, Haryana-132001.
3. The Head, National Dairy Research Institute,
Post Box No.3076, Adugodi, Bangalore-560030.
4. Sri.J.Seetharamaswamy, Principal Scientist and
Inquiry Officer, National Dairy Research Institute,
Adugodi, Bangalore-560 030.
5. Sri.M.Vasudeva Rao, Addl. Central Govt. Stng.
Counsel, High Court Bldg, Bangalore-560 001.

Subject:- Forwarding copies of the Orders passed by the
Central Administrative Tribunal, Bangalore-38.

---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 09-03-1995.

Issued on
24/03/95

DEPUTY REGISTRAR
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH: BANGALORE

ORIGINAL APPLICATION NUMBER 776 OF 1995

THURSDAY, THIS THE 9TH DAY OF MARCH, 1995.

Mr. Justice P.K. Shyamsundar,

Vice-Chairman.

Mr. T.V. Ramanan,

.. Member(A)

G.G. Gurappa,
S/o Guttappa,
Aged 50 years,
Attendant (Literate) Gr-IV,
Cattle Yard, NDRI, Adugodi,
Bangalore-30.

.. Applicant.

(By Advocate Shri S. Ranganath Jois)

v.

1. The Chief Administrative Officer,
National Dairy Research Institute,
Karnal, Haryana. Pin Code 132 001.
2. The Head,
The National Dairy Research Institute
(ICAR), Post Box No. 3076,
Adugodi, Bangalore-560 030.
3. Sri J. Seetharamaswamy,
Principal, Scientist & Inquiry Officer,
NDRI, Adugodi, Bangalore-30.

.. Respondents.

(By Standing Counsel Shri M. Vasudeva Rao)

ORDER

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

We have heard both sides. The applicant who is arrayed at a departmental inquiry has sought for engaging a legal practitioner to defend him at the inquiry. The motion for seeking the assistance of a lawyer was not made to the Disciplinary Authority but apparently made to the Inquiry Officer who has turned it down under the impugned order vide Annexure-A4. What becomes obvious is that soliciting of legal assistance should have been made to the proper quarters. The appropriate quarter



was only the Disciplinary Authority who was the person competent to take a decision in that behalf. In the circumstances, we think it proper to quash the impugned order at Annexure-A4 followed by a direction to the applicant to make an appropriate motion seeking legal assistance, to the Disciplinary Authority. If he does that within 2 weeks from to-day, the Disciplinary Authority on receipt of that request will dispose of that representation appropriately within 2 weeks' thereafter bearing in mind the departmental instructions which govern the situation. Till the departmental authorities take a decision in that behalf, the inquiry proceedings shall stand stayed. Send a copy of this order to the Disciplinary Authority and to the Inquiry Officer for appropriate action.

Sd/-

MEMBER(A)

Sd/-

VICE-CHAIRMAN.



TRUE COPY

[Handwritten signature]
24/3/95
Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

