

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

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

Dated: 21 FEB 1995

Review APPLICATION NO: 6 of 1995 in OA. NO.336 of 1994.

APPLICANTS:- Union of India and others rep. by Secretary,
M/o. Science & Technology, New Delhi.
V/S.

RESPONDENTS:- Mr. K. Chakrapani, Bangalore.

To

1. Sri. M. Vasudeva Rao, Additional Central Government
Standing Counsel, High Court Building, Bangalore-1.

2. ~~Sri. Col. V. K. K. Nair, No. 24, First Main Road,
Domlur Layout, Bangalore-560 071.~~

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 13th Feburary, 1995.

Issued on
21/02/95

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for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

ORDER SHEET

Review Application No. 6 of 1995
in OA No. 336/94

Applicant

UOI by Secy, M/O Science & Technology
N.Dli & ors
Advocate for Applicant

Respondent

Sh K Chakrapani

Advocate for Respondent

Date	Office Notes	Orders of Tribunal
		<p>VRMA/ANV MJ 13.2.1995</p> <p><u>O R D E R</u></p> <p>1. The respondents in O.A. No.336/94 have filed this Review Application on the following grounds. The first ground is that while the contentions of the rival parties have been narrated in the order dated 9.11.1994 there is no finding as to the appropriate authority who is competent to take action in such disciplinary matters. No doubt in para 6 of our order we have narrated the contentions but did not record our finding on those contentions inasmuch as it was not necessary</p> 

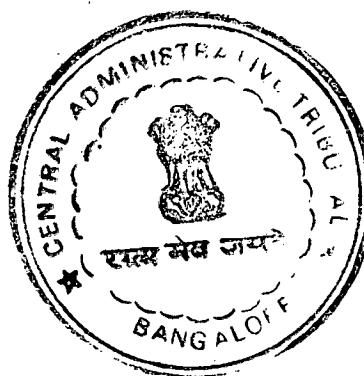
Date	Office Notes	Orders of Tribunal
		<p>for the disposal of the application. Besides the decision did not rest on any finding on the rival contentions set out in para 6 of the order. Therefore, we did not find it necessary to record a definite view in respect of those contentions.</p>
		<p>2. While narrating that the respondent herein was not afforded proper opportunity we did not feel it necessary to direct de novo enquiry inasmuch as at one stage there was a view expressed by the Secretary, Kodihalli Canteen Managing Committee informing that the Managing Committee had decided to reinstate the applicant ie., the respondent herein. Taking the entire aspect of the case and having regard to the trivial nature of the charge it was not felt necessary to direct de novo enquiry but only direct reinstatement.</p>
		<p>3. The next ground urged by the review applicants is that</p>

In the Central Administrative Tribunal
Bangalore Bench
Bangalore

REVIEW Application No..... 6 of 1995

ORDER SHEET (Contd.)

Date	Office Notes	Orders of Tribunal
		<p>the observation that for minor lapse the penalty of removal was highly disproportionate and the Tribunal ought to have recommended the appellate authority for modification of the quantum of punishment. This aspect of the matter was also considered and for the reasons stated in the preceding para we felt it was not necessary to direct the appellate authority to consider modification of quantum of punishment.</p> <p>4. Thus we see no merit in this review application and accordingly we reject the same by circulation.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: right;">Sd/-</p> <p style="text-align: center;">151</p> <p style="text-align: center;">151</p> <p>MEMBER [J] TRUE COPY MEMBER [A]</p>



Section Officer
Central Administrative Tribunal
Bangalore Bench
Bangalore

[Signature]
21/02/95