

IN THE HIGH COURT OF JUD

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD

FRI DAY THE 'THIRD' DAY OF APRIL
ONE THOUSAND NINE HUNDRED AND EIGHTY SEVEN

: PRESENT :

THE HON'BLE MR. B. N. JAYA SIMHA: VICE-CHAIRMAN
AND

THE HON'BLE MR. D. SURYA RAO: MEMBER.

ORIGINAL APPLICATION NO. 222 of 1987.

BETWEEN:-

D. Annaji Rao.

.....APPLICANTS.

AND

- 1) Sub-Divisional Officer, Telecommunications,
Amadalavalasa, Srikakulam DIST.
- 2) The Divisional Engineer, Telecommunications,
Srikakulam.

.....RESPONDENTS.

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Application under Section 19 of the Administrative
Tribunals Act, 1985, praying that in the circumstances stated
therein the Tribunal will be pleased to call for and peruse
the records pertaining to Lr. No. X12/86-87/6 dt. at
ALS, 13-2-1987 from the respondent herein and
quash the same.

ORIGINAL APPLICATION NO.222/87

COUNSEL FOR APPLICANT: MR. B.NAGESWARA RAO
COUNSEL FOR RESPONDENTS: MR. K.JAGANNADHA RAO, CGSC

ORDERS OF THE TRIBUNAL DATED 3rd APRIL. 1987.

The applicant herein, who is working as Lineman in the Telecommunications Department in Battili (Srikakulam) was placed under suspension by an Order dated 13-2-1987 of the Sub Divisional Officer (Telecommunications), Amadalavalasa. The ground for suspension is that, the applicant had been detained in Police Custody on 7-1-1987 for a period exceeding 48 hours. Consequently, he must be deemed to be under suspension under Rule 10(2) of the C.C.S.(C.C.A.) Rules, 1965.

2. The applicant has contended that he was taken into custody on 7-1-1987 and released on bail on 8-1-1987 at 2-00 P.M., that is, he was not in custody for 48 hours as alleged in the impugned order.

3. We have heard the Learned Counsel for the Applicant and also Mr. Parameswara Rao ^{Agrocul} on behalf of the Counsel for Respondents : Mr.K.Jagannadha Rao, CGSC. The respondents have submitted a letter No.TA/LC/24/87 dated 2-4-1987 of the General Manager, Telecommunications, Andhra Circle, Hyderabad, which states as follows :-

"With reference to the above application, it is to intimate that the order of suspension issued to Shri Annaji Rao by the Sub-divisional Officer, Telecom., Amadalavalasa vide Memo.no.X.12/86-87 dated 13-2-1987 has been revoked by the Divisional Engineer, Telecom. Srikakulam on 1-4-1987 on appeal."

In the circumstances, no further orders are required. The application is finally disposed of accordingly, since the prayer has already been met by the Department. No order as to costs.

B.N. Jayasimha
(B.N.JAYASIMHA)
Vice-Chairman

D. Surya Rao
(D.SURYA RAO)
Member