

(42)  
28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD

MA 584/93  
in  
OA 272/88.

Dt. of Order: 22-12-93.

P.Radhaiah

....Applicant

Vs.

1. The General Manager,  
SC Rlys, Sec'bad.
2. The Sr.Divisional Operating  
Superintendent, SC Rlys,  
Vijayawada.
3. Divisional Safety Officer,  
SC Rlys, Vijayawada.

....Respondents

-- -- --

Counsel for the Applicant : Shri J.M.Naidu

Counsel for the Respondents : Shri D. Francis Paul  
Rlys.

-- -- --

CORAM:

THE HON'BLE JUSTICE SHRI V.NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

-- -- --

....2.

ISAO  
9.28  
del/3

(43)  
29

-- 2 --

MA 584/93 in OA 272/88

Judgement dated 22-12-93

I AS PER SHRI JUSTICE VE. NEELADRI RAO, VICE-CHAIRMAN I

---

Heard Shri J.M. Naidu, learned counsel for the applicant and also the learned standing counsel for the respondents.

OA 272/88 was disposed of by an order dated 17-10-89 by setting aside the order of punishment on the grounds that the report of the Enquiry officer was not furnished to the applicant before the order of punishment was passed. But liberty was given to the respondents to continue the enquiry after furnishing a copy of the report of the Enquiry officer to the applicant. This MA was filed praying for a direction to the respondents to pay the subsistence allowance from 14-4-87, the date of order of dismissal till today as the intervening period has to be treated as deemed suspension upto 17-10-89, and as the applicant was not taken into service later, he should be held to be under suspension from 17-10-89.

In paras 4&5 of the reply to this OA, it was stated that the SLP against the order in OA 272-88 was filed on 19-3-90 and the same was not represented after it was returned for compliance for some defects. It is now noticed that the same was misplaced in the Central Law Agency Section and now it is going to be re-constructed and re-presented, and as the same was disputed for the applicant, this MA is dismissed by giving liberty to the applicant to move this Tribunal if SLP is going to be dismissed.

-/-....3

20/12/93

If the SLP is not going to be re-presented by the end of February, 1994, the applicant can come up with a fresh application.

*[Signature]*

(R. RANGA RAJAN)  
Member (Admn.)

*[Signature]*

(V. NEELADRI RAO)  
Vice-Chairman

(Open court judgement)

NS

*[Signature]* 8/2/83  
Deputy Registrar (Judl.)

Copy to:-

1. The General Manager, SC Railways, Secunderabad.
2. The Sr. Divisional Operating Superintendent, SC Railway, Vijayawada.
3. Divisional Safety Officer, SC Railways, Vijayawada.
4. One copy to Sri. J.M.Naidu, advocate, CAT, Hyd.
5. One copy to Sri. D. Francis *Paul* SC for Rlys, CAT, Hyd.
6. One copy to Library, CAT, Hyd.

One spare copy.

n/-