

ANNEXURE - II

Form of Index

List of papers in ORIGINAL APPLICATION 862 89

Sl. No. of papers.	Date of paper or Date of filing	Description of papers
	28-2-90	<u>PART-I</u> Original Judgement
	26-10-89	Original application and Material papers
D.	—	Counter
A	—	Reply counter
5/1/99		
	26-10-89	<u>PART-II</u> Copy of O.A.
	26-10-89	Copies of material papers.
	—	Copy of counter
	—	Copy of Reply counter.
	28-2-90	Copy of Judgement.
	26-10-89	
	26-11-89	<u>PART-III</u> Vakalatnama
	16-11-89	Memo
		Notice.

Part-II and Part-III Destroyed.

9/9/99

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD

(15)

~~TRANSFERRED~~ ORIGINAL APPLICATION NO. 862 of 1989

DATE OF ORDER: 28th February, 1990

BETWEEN:

Mr. K. Vijayarangan

APPLICANT(S)

and

Chief Security Commissioner, Railway
Protection Force, Secunderabad and others

RESPONDENT(S)

FOR APPLICANT(S): Mr. B. Nageswara Rao, Advocate ~~Not present~~

FOR RESPONDENT(S): Mr. P. Venkatarama Reddy, SC for Railways

CORAM: Hon'ble Shri D. Surya Rao, Member (Judl.)
Hon'ble Shri R. Balasubramanian, Member (Admn.)

1. Whether Reporters of local papers may be ~~no~~ allowed to see the Judgment?
2. To be referred to the Reporter or not? ~~no~~
3. Whether their Lordships wish to see the ~~no~~ fair copy of the Judgment?
4. Whether it needs to be circulated to ~~no~~ other Bench of the Tribunal?
5. Remarks of Vice-Chairman on columns 1, 2, 4 (to be submitted to Hon'ble Vice-Chairman where he is not on the Bench)

HDSR
M(J)

HRBS
M(A)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE
SHRI D.SURYA RAO, MEMBER (JUDL.)

This matter has been set-down for hearing on a letter dated 12.2.1990 filed by the Standing Counsel for the Railways. The applicant herein is a Senior Clerk attached to the Railway Protection Force, Guntakal, South Central Railway. He had filed this application questioning the Divisional Order No.50/89 dated 15.6.1989 issued by the 2nd respondent, Divisional Security Commissioner, Railway Protection Force, Guntakal dismissing him from service retrospective^{ly} from 14.7.1988. The applicant preferred an appeal to the 1st respondent on 17.6.1989. As no orders were passed thereon, he filed the present application on 26.10.1989.

2. It is brought to our notice by the learned Standing Counsel for the respondents/Railways that the Chief Security Officer (1st respondent) has set-aside the order of dismissal passed by the 2nd respondent on the ground that the said order was passed by the authority lower in rank than the authority who appointed the applicant as Clerk. This order was set-aside without prejudice to fresh disciplinary proceedings being initiated by the competent authority.

3. The applicant is not present in person nor is he represented by his Advocate. ^{Mr. P. Venkateswara Reddy, Standing Counsel for} Shri M.R. Devarajappa ^{for} Railways represents on behalf of the respondents. In view of the letter filed by the learned Standing Counsel for

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the Respondents/Department, it is clear that the applicant has received the relief asked for and that no further ~~need~~ ^{need} orders ~~can~~ be given by this Tribunal. The application is disposed of as infructuous as the applicant has received the relief asked for. The order of this Tribunal will not preclude the respondents from proceeding against the applicant if permitted under the rules. No costs.

(Dictated in the open Court).

D.Surya Rao

(D.SURYA RAO)
MEMBER (JUDL.)

R.Balasubramanian

(R.BALASUBRAMANIAN)
MEMBER (ADMN.)

Dated: 28th February, 1990.

D.Surya Rao
For DEPUTY REGISTRAR(J) 6/2/90.

TO:

1. The Chief Security Commissioner, Railway Protection Force, Rail Nilayam, Secunderabad.
2. The Divisional Security Commissioner, south central railway, RPF., Guntakal.
3. One copy to Mr.B.Nageshwar Rao, Advocate, Plot No.7, ~~8888888888~~ S.B.H.Colony, Asmangadh, Malakpet, Hyderabad.
4. One copy to Mr.P.Venkatarama Reddy, SC for Rlys., CAT, Hyd.
5. One spare copy.

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kj.

VSN

6/2/90

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

HON'BLE MR. B. N. JAYASIMHA: (V.C.)

AND

HON'BLE MR. D. SURYA RAO: MEMBER (JUDL.)

AND

HON'BLE MR. J. HARASIMHA MURTHY: (M) (J)

AND

HON'BLE MR. R. BALASUBRAMANIAN: (M) (A)

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DATED: 28.2.90

ORDER/JUDGMENT:

M.A./R.A./C.A./No. in

T.A.No. (W.P.No.)

D.A.No. 862/89

Admitted and interim directions
issued.

Allowed.

Dismissed. as instruction. No costs.
Disposed of with direction.

M.L. Ordered.

No order as to costs.

Sent to Xerox on:

D. R. S.
S. L. A.

