

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 170/90
~~I.A. No.~~

198

DATE OF DECISION 31-12-91

M.A. Rasheed Petitioner

Mr. V. Venkateswara Rao Advocate for the Petitioner(s)

- Versus

Union of India, rep. by Secretary to
Govt. of India, Ministry of Food & Agri.
New Delhi and 4 others.

Mr. N. Bhaskara Rao, Addl. CGSC. Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. T. CHANDRASEKHAR REDDY : Member (Judl.)

The Hon'ble Mr.

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

MGIPRRND-12 CAT/86-3-12-86-15,000

(HTCSR)
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.170/90

Date of the order 31.12.91

BETWEEN:

M.A.Rasheed .. Applicant.

A N D

1. Union of India, rep,
by Secretary to Govt.
of India, Ministry of
Food & Agriculture,
New Delhi.
2. The Director General,
Indian Council of
Agricultural Research,
Krishi Bhavan,
New Delhi-110 001.
3. The Director,
Central Research Institute
for Dryland Agriculture,
Santoshnagar,
Hyderabad-500 659.
4. Sri YVR.Reddy, Principal,
Scientist and the Head of
Designs and Analysis Section,
Central Research Institute
for Dryland Agriculture,
Santoshnagar,
Hyderabad-500 659.
5. Smt.Kausalya Ramachandran,
Scientist-I (Geography),
Designs and Analysis Section,
Central Research Institute for
Dryland Agriculture,
Santoshnagar,
Hyderabad-500 659.

.. Respondents.

Counsel for the Applicant .. Mr.V.Venkateswara Rao.

Counsel for the Respondents .. Mr.N.Bhaskara Rao, Addl.CGS

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CORAM:

HONOURABLE Mr.T.CHANDRASEKHAR REDDY : Member(Judl.)

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(This Judgement is delivered by Hon'ble Mr. T.Chaandra-Sekhar Reddy, Member(Judl.) on 31.12.91.)

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T. C. S.

15/12/91

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This is an application filed by the applicant under section 19 of the Administrative Tribunals Act for the reliefs to quash the alleged adverse entries in the A.C.Rs of the applicant for the period from 1.1.88 to 31.3.1989 (Annexure A.3) communicated to the applicant by the respondents and the memorandum dated 12.2.1990 (Annexure A.7) inform the applicant that no cognizance of the representations could be taken by the competent authority in view of the delay in submitting the said representation as against the said adverse entries.

2. The communication sent to the applicant with regard to the Adverse entries made in his Annual Confidential reports dated 1.8.1989. The applicant has put in a representation dated 19.9.1989 (Annexure A.4) and also another representation dated 1.2.1990 which is Annexure (A.6) to expunge the said adverse remarks and to release the efficiency bar increment said due to him on 1.7.1989. On the ground that there had been delay in submitting the said representations by the applicant to the competent authority as against expunge the said adverse remarks and for release of the efficiency bar increment due to the applicant on 1.7.1989, the same ~~were~~ ^{were} rejected and hence the present application for the reliefs as already indicated.

3. We have heard Mr.V.Venkateswara Rao, Advocate for the applicant and Mr.N.Bhaskara Rao, Advocate for the respondents. As could be seen there is only a few days delay in submitting first representation dated 19.9.1989 (Annexure A.4). This representation dated 19.9.1989 is followed by another representation dated 1.2.1990 to which a reference is already made. So, as the representations of the applicant had not been disposed of by the respondents

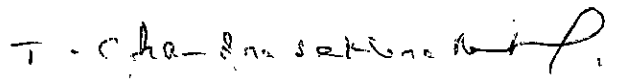
T. C. A. —————

contd.....

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after due consideration, we are of the opinion that it would be fit and proper to condone the delay on the part of the applicant in submitting his representations to the respondents and give appropriate directions to the respondents.

4. In the result the delay in submitting the representations dated 19.9.1989 and 1.2.1990 by the applicant to the respondents to expunge the adverse remarks that had been communicated to the applicant with the date 1.8.89 and to release the efficiency bar increment with effect from 1.7.1989 is hereby condoned. We hereby direct the respondents to consider the said representations and decide the said representations on merits and communicate the result of the same to the applicant within two months from the date of the receipt of this order. The applicant would be at liberty to approach this Tribunal once again if he continues to be aggrieved in this matter by the decision of the respondents. OA is accordingly decided with no order as to costs.


(T.CHANDRASEKHAR REDDY)
Member(Judl.)

Dated: 31st Dec. 1991.

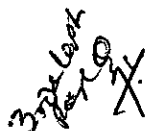

Deputy Registrar(J)

Dictated in Open Court.

To

1. The Secretary to Govt. of India, Union of India, Ministry of Food & Agriculture, New Delhi.
2. The Director General, Indian Council of Agricultural Research, Krishi Bhavan, New Delhi.
3. The Director, Central Research Institute for Dryland Agriculture, Santhoshnagar, Hyderabad-659.
sd
4. One copy to Mr.v.Venkateswar Rao, Advocate, CAT.Hyd.
5. One copy to Mr.N.Bhaskar Rao, Addl. CGSC. CAT.Hyd.Bench.
6. One spare copy.

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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.

:V.C

AND

THE HON'BLE MR.

M(J)

AND

THE HON'BLE MR. R. BALASUBRAMANTAN M(A)

AND

THE HON'BLE MR. Chandra sethor Reddy M(J)

DATE 31 - 12 - 1991

ORDER/ JUDGMENT:

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

O.A.No. 170/90

T.A.No.

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions

Dismissed.

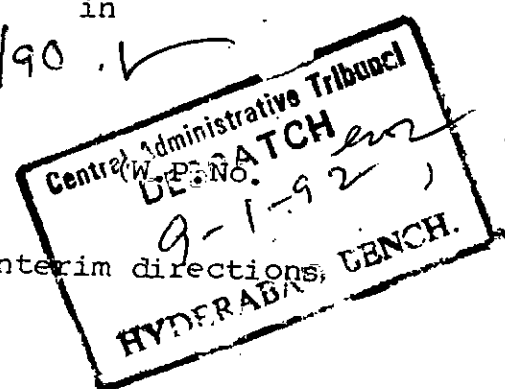
Dismissed as withdrawn.

Dismissed for Default.

M.A. Ordered/Rejected

No order as to costs.

7.1.92



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