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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH AT : HYDERABAD

O.A. No.508/90

Date of order:16.7.'90

BETWEEN

Ch. Narayanacharyulu

..

Applicant

Versus

Flag Officer Commanding-in-Chief,
Eastern Naval Command,
Naval Base,
Visakhapatnam.

..

Respondent

APPEARANCE

For the Applicant

: Party in person

For the Respondent

: Shri E. Madan Mohan Rao,
Addl. Standing Counsel for
respondents.

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CORAM

THE HON'BLE SHRI B.N. JAYASIMHA, VICE CHAIRMAN

THE HON'BLE SHRI D. SURYA RAO, MEMBER (JUDICIAL)

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(Judgement of the bench delivered by Hon'ble Shri B.N.
Jayasimha, Vice Chairman)

The applicant herein has been dismissed from service as Upper Division Clerk in the office of Flag Officer, Eastern Naval Command. He had filed O.No.303/90 questioning the order of dismissal. This Tribunal by interim order dt.6.4.'90 ordered that during the pendency

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(Contd.....)

of the original application, the applicant be permitted to continue in occupation of Quarter No.E/1, Pallava Park, Kancharapalem, Visakhapatnam, on payment of normal rent till the disposal of the O.A., The applicant has now filed this application stating that on 10.3.89 he made a representation stating that before he surrenders ^{his} Identity card, instructions may be issued to all concerned to allow him to stay in Pallava Park. He also requested that he may be issued with a special pass since he has been dismissed from service. He contends that thereafter on 6.5.'89 he was asked to surrender the identity card and special pass within 24 hours. This was followed by another letter dt.15.6.90 to the effect that if the identity card has been lost then a complaint of loss be made to the Police Station in whose jurisdiction the loss has occurred. He was also asked to give ^a statement ^{about} ~~in the~~ ^{giving rise to the} circumstance ~~of~~ loss along with the copy of the above referred FIR. He has thereafter filed this application, to quash the order dt.15.6.1990 and to order the respondents to allow him with all facilities equally with all retired Govt. Servants.

2. We have heard the applicant in person and Shri E. Madan Mohan Rao, Addl. Standing Counsel for the respondents, who has taken notice at the time of admission. It is clear that the applicant had filed the application on 10.3.1989 even before the issue of interim orders of the Tribunal in O.A.303/90. The applicant had not ^{thereafter} made any representation for issue of a special pass to enable him to have ingress and egress from the quarters. The applicant had reported that he was not able to produce the identity card to the respondents so that they could initiate action for either issue of special pass if it is lost or issue a separate pass. The applicant has not given any

reply for the letter dt.15.6.90 from the respondents. Instead he has rushed to the court. We are of the view that the applicant ought to make his representations to the authorities concerned in the light of the stay orders issued in O.A.No. 303/90. If ^{he} ~~it~~ is still prevented from securing entrance to his house then he will have a cause of action. Accordingly this application is dismissed. No order as to costs.

B.N. Jayasimha
(B.N. JAYASIMHA)
VICE CHAIRMAN

D. Surya Rao
(D. SURYA RAO)
MEMBER (JUDICIAL)

Dictated in the open court
Dt. 16th July, 1990

H. Suganya 13/7/90
for Deputy Registrar (Judl).

To

1. The Flag Officer, Commanding-in-Chief,
Eastern Naval Command, Naval Base, Visakhapatnam-14.
2. One copy to Mr. Ch-Narayanacharyulu, Party-in-person
E/1, Pallava Park, Kancharapalem P.O. visakhapatnam- 8.
3. One copy to Mr. E. Madanmohan Rao, Addl. CGSC. CAT. Hyd. Bench.
4. One spare copy.

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APPROVED BY

TYPED BY

COMPARED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. B.N. JAYASIMHA: V.C.

AND

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

AND

THE HON'BLE MR. J. NARASIMHAMURTHY: M(J)

AND

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

DATE : 16/7/96

ORDER / JUDGMENT

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

in

T.A.No.

W.P.No.

O.A.No.

508/90

Admitted and Interim directions issued.

Allowed.

Dismissed for default.

Dismissed as withdrawn.

Dismissed.

Disposed of with direction.

M.A. ordered/Rejected.

No order as to costs.

Central Administrative Tribunal
DEBATCH

23 JUL 1990

HYDERABAD BENCH