

(44)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

M.A. 574/94.
in
O.A. 1022/90.

Dt. of Decision : 11-8-94.

1. K. Nooka Raju
2. S. Lakshmana Rao

.. Applicants.

Vs

1. Chief Engineer,
Southern Command, MES,
Pune.
2. Commander Works Engineer,
Station Road, Visakhapatnam.
3. Garrison Engineer, Naval Depot,
Visakhapatnam.

.. Respondents.

Counsel for the Applicants : Mr. P.B. Vijaya Kumar

Counsel for the Respondents : Mr. N.V. Ramana, Addl. CGSC.

CORAM:

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

THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

MA 574/94
in
OA 1022/90

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I AS PER HON'BLE JUSTICE SHRI V. NEELADRI RAO,
VICE-CHAIRMAN I

Heard Shri P.B. Vijaya Kumar, learned
counsel for the applicant and also Shri N.V.
Ramana, learned standing counsel for the
Respondents.

2. This application is filed by the applicants
in OA praying for impleading Chief Engineer,
Navy, Station Road, Waltair, R.S., Visakhapatnam
as the Respondent, in the OA.

1024/90
3. This OA along with OA 1024/90 was disposed
of by a common order dated 27-12-93 and the
relevant portion therein is as under:

"Of course if the order of R-4 is going to
be adverse to the applicants herein, the recovery
for the relevant period can be made and then the
applicants are free to move this Tribunal by way of
MA for challenging the same. If R-4 is not going
to pass any final order within three months from
the date of receipt of this order, the applicants
herein are free to move this Tribunal by way of
MA for necessary instructions."

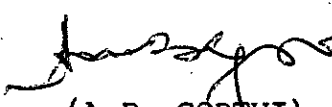
4. The order passed by Respondent 2 —
Commander Works, Engineer, Station Road, Visakhapatnam
was challenged in OA 1022/90. In pursuance of the
order dated 27-12-93 in OA 1022/90 & OA 1024/90,
Chief Engineer, Navy, Station Road, Waltair R.S.,
Visakhapatnam R.S. passed the order dated 28-4-94.

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As the applicants were given liberty by order dated 27-12-93 in OA 1022/90 to challenge the order of Chief Engineer, Navy, Station Road, Waltair R.S, Visakhapatnam, it is necessary to implead the said officer as a party in the OA at the stage of the MA.

5. In these circumstances referred to, the MA is allowed as prayed for. No costs.


(A.B. GORTHI)
Member (Admn.)


(V. NEELADRI RAO)
Vice-Chairman

Dated the 11th August, 1994
Open court dictation

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Dy. Registrar (Judl)

Copy to:-

1. Chief Engineer, Southern Command, MES, Pune.
2. Commander Works Engineer, Station Road, Visakhapatnam.
3. Garrison Engineer, Naval Depot, Visakhapatnam.
4. One copy to Mr. P.B. Vijaya Kumar, Advocate, CAT, Hyderabad.
5. One copy to Mr. N.V. Ramana, Addl. CGSC, CAT, Hyderabad.
6. One copy to Library.
7. Chief Engineer, Navy, Station Road, Waltair, R.S. Visakhapatnam (copy of Judgment in OA. 1022/90 along with a copy of A.A.)
27.2.98
8. One spare.

kku.