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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD
BENCH : AT HYDERABAD :

DA No.913/90.

Dt. of Decision:15-11-90.

Syed Gulam Rabbani

....Applicant

Vs.

1. Financial Adviser and
Chief Accounts Officer
South Central Railway,
Secunderabad.
2. Senior Accounts Officer
(Construction),
South Central Railway,
Secunderabad.

....Respondents

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Counsel for the Applicant : Shri V.Krishna Rao

Counsel for the Respondents : Shri D.Gopal Rao (I), SC for Rlys

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CORAM:

THE HON'BLE SHRI B.N.JAYASIMHA : VICE-CHAIRMAN

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

(Judgment of the Division Bench delivered by
Hon'ble Shri D.Surya Rao, Member (J)).

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This is an application from a Senior Clerk working in the Office of the Senior Accounts Officer (Construction), Secunderabad, South Central Railway, questioning the inaction on the part of the respondents in not passing any orders in the Disciplinary Proceedings initiated against him on 25-7-89. The applicant states that he was appointed in the Railways on 7-2-57, on a recommendation of the Railway Service Commission and after passing the examination he was

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promoted as Senior Clerk. Subsequently he was absent from duty from 1-2-77 to 30-6-77 for which post-facto sanction was accorded. He further states that his wife underwent two major operations in the Government General Hospital, Sultan Bazar, Hyderabad, and the circumstances compelled the applicant to be absent from duty. He therefore requested to sanction extra ordinary leave from 4-8-77 to 31-7-82 by enclosing a sick certificate. Since no intimation was received, he availed the leave. Thereafter the applicant was on sick list and reported for duty on 8-6-87 after producing medical fit certificate from the Railway Hospital, Lallaguda, Secunderabad. The Department instead of taking the applicant into duty ^{by an order of D}, the 2nd respondent initiated disciplinary proceedings against him. The enquiry was completed on 9-1-90 and the enquiry report was sent to the Disciplinary Authority. So far no action has been taken. He therefore seeks a direction to the Disciplinary Authority to dispose of the case within 20 days after completion of the enquiry.

2. We have heard Shri V. Krishna Rao, learned counsel for the applicant and Shri D. Gopal Rao, learned standing counsel for Railways. It is clear that the enquiry was completed on 9-1-90 and even though nearly ten months have been passed and no order ^{final D} was passed by the Respondents. The learned counsel for the Respondents states that the

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Disciplinary Authority will pass the orders within six weeks. In the circumstances no further orders are required except to direct that the Disciplinary Authority will dispose-of the matter as undertaken i.e. within six weeks.

3. Accordingly the application is disposed-of with the above direction. No order as to costs.

B.N. Jayasimha
(B.N. JAYASIMHA)
Vice-Chairman

D. Surya Rao
(D. SURYA RAO)
Member (J)

Dated: 15th November, 1990.
Dictated in Open Court.

avl/

[Signature]
for DEPUTY REGISTRAR
(Judl) 21/11/90

To

1. The Financial Adviser and Chief Accounts Officer, South Central Railways, Secunderabad.
2. The Senior Accounts Officer(Construction), South Central Railways, Secunderabad.
3. One copy to Mr. V. Krishna Rao, Advocate, H.No. 12-11-1444, Boudhanagar, Secunderabad-500 361.
4. One copy to Mr. D. Gopal Rao, SC for Rlys, CAT, Hyderabad.
5. One Spare copy

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21/11/90
text

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TYPED BY

APPROVED 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 : M(J)
AND

~~THE HON'BLE MR. J. NARASIMHA MURTY : M(J)~~
AND

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

~~DATE: 24-9-~~

15/11/1990

ORDER / JUDGEMENT:

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

T.A. No.

W.P. No.

O.A. No.

913/90

~~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.~~

