

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

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R.P.No.72/93

in

O.A.787/91

Date of order: 27.8- 93

Between

Ch.Narayanacharyulu .. Applicant

and

1. Flag Officer Commanding-in-Chief  
Naval Base, Visakhapatnam-14
2. Staff Officer (Civ) Eastern Naval  
Command, Visakhapatnam .. Respondents

Counsel for the applicant : Party-in-person

Counsel for the Respondents : Mr NR Devraj, Sr.CGSC

CORAM:

HON'BLE SHRI A.B. GORTHI, MEMBER(ADMN)

HON'BLE SHRI T. CHANDRASEKHARA REDDY, MEMBER(JUDL.)

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ORDER OF THE DIVISION BENCH DELIVERED BY HON'BLE  
SHRI T. CHANDRASEKHARA REDDY, MEMBER(JUDL.) BY CIRCULATION

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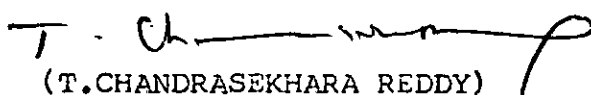
This Review Application is filed under  
Rule 17 of the Central Administrative Tribunal (Procedure  
Rules, 1987 to review our judgement dated 10.6.93 passed  
in OA 787/91. After going through the grounds raised  
in this Review Application, we proceed to decide this  
Review Application by circulation under Rule 17(iii)  
of CAT (Procedures) Rules, 1987.


2. OA 787/91 was filed by the applicant to direct  
the respondents to release the incremental benefits that  
became due to the applicant on 1.5.86, 1.5.87, 1.5.88 and  
1.5.89 and to pay all consequential arrears and pass

...2..

such other orders as may deem fit and proper in the circumstances of the case. OA 787/91 was dismissed by our orders dated 10.6.93. The present review application is filed to review our judgement dated 10.6.93 passed in OA 787/91 as already indicated above.

3. In our Judgement dated 10.6.93 passed in OA 787/91 we have clearly stated that as the applicant was dismissed from service consequent to the conclusion of the disciplinary proceedings ~~by the~~ initiated as against him, that the applicant was not entitled to for any increments for the periods ~~w~~ during which he was under suspension. The facts of the case would go to show that the applicant was under suspension during the period ~~which~~ the applicant claimed ~~an~~ annual incremental benefits. As the applicant had been dismissed from service as already pointed out, the applicant is ~~certainly~~ not entitled for release of increment during <sup>the</sup> period he was under suspension, and also during the period the disciplinary proceeding was pending against him. So, we see no error apparent on the face of the record and so the Review application is liable to be dismissed and is accordingly dismissed leaving the parties to bear their own costs.

  
(T.CHANDRASEKHARA REDDY)  
Member(Judl.)

  
(A.B. GORTHI)  
Member(Admn)

mvl

Dated: 27<sup>th</sup> Aug. 1993

Deputy Registrar (A)

To

1. The Flag Officer, Commanding-in-Chief, Naval Base, visakhapatnam-14.
2. The Staff Officer (Civ) Eastern Naval Command, visakhapatnam.
3. One copy to Mr.Ch.Narayanacharyulu, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One spare copy.

pvm

TYPED BY

COMPARED BY

CHECKED BY *201*

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY  
MEMBER(JUDL)

AND

THE HON'BLE MR. P. T. TIRUVENGADAM : M(A)

Dated *27-8* -1993

ORDER/JUDGMENT:

M.A/R.A/C.A.No. *72/93*

in

O.A.No. *787/91*

T.A.No.

(W.P.)

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

20 SEP 1993