

21

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

R.P.No. 85/94
in
O.A.No. 857/91.

Dt. of Decision : 16.11.94.

Syed Gulem Rabbani

.. Applicant/
Petitioner.

Vs

1. General Manager,
SC Rly, Secunderabad.
2. FA & CAD (C)
SC Rly, Secunderabad.
3. Dy. FA & CAD (C)
SC Rly, Secunderabad.
4. Sr. Accounts Officer
(Construction)
Secunderabad.

.. Respondents.

Counsel for the Applicant : Mr. V. Krishna Rao

Counsel for the Respondents : Mr. V.Bhimanna, Addl.CGSC.

CORAM:

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

THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

(R)

R.P.No.85/94
in
O.A.No.857/91

Dt. of decision: 16.11.94

O R D E R

{ As per Hon'ble Sri R. Rangarajan, Member (A) }

Heard Shri V. Krishna Rao, learned counsel for the applicant and Shri V. Bhimanna, learned standing counsel for the respondents.

2. This R.A. is filed against dismissal of the O.A. No.857/91. The main contentions in this R.A. are:

(i) The applicant ought to have been taken on duty on production of medical certificate from the Railway Hospital, Lallaguda before initiating disciplinary action. Inasmuch as, it was not done, the status of the applicant was not determined and hence issuing of charge sheet and proceeding with the enquiry is illegal. He relies on the judgement of this Tribunal in T.A.No.1206/86 and Serial Circular No.16/70 issued by the South Central Railway.

(ii) The second contention is that non-production of important documents incorporating his service details like personal file etc. ~~as~~ affected the defence of the applicant adversely.

The above two contentions are only reiteration of the earlier contention advanced at the time of hearing the matter. It is manifest from the judgement that these points have received the full attention in the judgement.



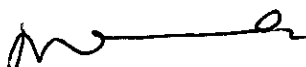


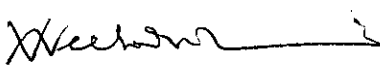
14

3. As the present contention^{are} is only reiteration, it is not necessary to reiterate the reasons given in rejecting ~~this~~ contention^{as} as these were explained fully in the judgement.

4. In view of the above, we see no error apparent in the face of the judgement and hence the Review Petition is liable only to be dismissed. Accordingly ~~we~~ do so.

No costs.


(R. Rangarajan)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dated 16.11.94

kmv


17-11-94.
Dy.Registrar(Judl).

Copy to:-

1. General Manager, South Central Railways, Secunderabad.
2. F.A & C.A.O. (C) South Central Railways, Secunderabad.
3. Dy.F.A. & C.A.O. (C) South Central Railways, Secunderabad.
4. Senior Accounts Officer (Construction), Secunderabad.
5. One copy to Mr. V. Krishna Rao, Advocate, CAT, Hyderabad.
6. One copy to Mr. V. Bhimanna, Addl. CGSC, CAT, Hyderabad.
7. One copy to Library, CAT, Hyderabad.
8. One copy spare.

kku.

As per order
17/11/94