

# Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 329/91

Date of Decision : 30.4.1992

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Dr. C.Hanumantha Reddy Petitioner.

Mr. Y.Suryanarayana Advocate for the  
petitioner (s)

Versus

Secretary, Railway Board and 2 others Respondent.

Mr. D.Gopala Rao, SC for Rlys. Advocate for the  
Respondent (s)

CORAM :

THE HON'BLE MR. R.Balasubramanian, Member (Admn.)

THE HON'BLE MR. T.Chandrasekhara Reddy, Member (Judl.)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?
5. Remarks of Vice Chairman on columns 1, 2, 4  
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

HRBS  
M(A)

HTCSR  
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD

ORIGINAL APPLICATION NO.329 of 1991

DATE OF JUDGMENT: 30th April, 1992

BETWEEN:

Dr. C.Hanumantha Reddy

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Applicant

AND

1. The Government of India,  
Ministry of Railways (Railway Board),  
represented by its Secretary,  
New Delhi.
2. The General Manager,  
South Central Railway,  
Secunderabad.
3. The Divisional Railway Manager,  
South Central Railway,  
Hubli.

COUNSEL FOR THE APPLICANT: Mr. Y.Suryanarayana

COUNSEL FOR THE RESPONDENTS: Mr. D.Gopala Rao, SC for Rlys.

CORAM:

Hon'ble Shri R.Balasubramanian, Member (Admn.)

Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)

contd.....

.. 2 ..

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

This OA is filed by the applicant herein for a direction to declare sub-rule 4 of Rule 5 of the Railway Servants (Discipline & Appeal) Rules, 1968 as arbitrary and unconstitutional and consequently to quash or set-aside the order No.P/SC/227/H/54, dated 17.12.1990 of the General Manager, South Central Railway, Secunderabad with all consequential benefits.

2. This OA is listed today for orders. When this OA is taken up for hearing, none present on behalf of the applicant. There is also no representation on behalf of the applicant. Mr. N.Rajeswara Rao for Mr. D.Gopala Rao, Standing Counsel for the respondents placed before us a photostat copy of the certificate of death of the applicant died on 9.1.1992. In view of the death certificate, we accept the fact that the applicant herein had died on 9.1.1992. Admittedly, more than 90 days had elapsed from the date of the death of the applicant but no steps are taken till today to bring legal representatives of the applicant on record. In view of this

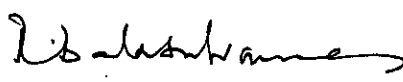
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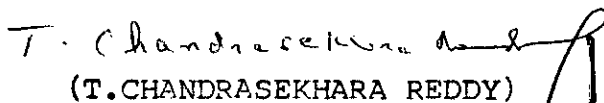
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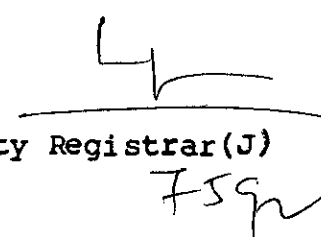
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position, we have no other alternative except to dismiss this OA as abated and accordingly dismiss the OA as abated. There is no order as to costs.

(Dictated in the open Court).

  
(R. BALASUBRAMANIAN)  
Member (Admn.)

  
(T. CHANDRASEKHARA REDDY)  
Member (Judl.)

  
Dated: 30th April, 1992. Deputy Registrar (J)

To

1. The Secretary, Govt. of India, Ministry of Railways  
(Railway Board) New Delhi.
2. The General Manager, S.C.Rly, Secunderabad.
3. The Divisional Railway Manager, S.C.Rly, Hubli.  
vsn
4. One copy to Mr. Y. Suryanarayana, Advocate, CAT. Hyd.
5. One copy to Mr. D. Gopal Rao, SC for Rlys CAT. Hyd.
6. One spare copy.

pvm.



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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

THE HON'BLE MR.

V.C.

AND

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

AND

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

AND

THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

Dated: 30-4-1992.

ORDER / JUDGMENT

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

O.A.No.

329/91

T.A.No.

(W.P.No.)

Admitted and interim directions  
issued

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected.

No order as to costs.

pvm.

28/5

Central	High Tribunal
HYDRAABAD BENCH.	

7/5/92