

34

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

D.A. 887/91.

Dt. of Decision : 9.6.94

V. Venkateswara Rao

.. Applicant

vs

1. The Divisional Operating Superintendent,
(Movement), SC Rly, Vijayawada.
2. The Chief Yard Master,
Vijayawada Railway Yard,
SC Rly, Vijayawada. .. Respondents.

Counsel for the Applicant : Mr. P. Krishna Reddy

Counsel for the Respondents : Mr. J. Siddaiah, Addl. CGSC.

CORAM:

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

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

..2

34
GJ

JUDGEMENT

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

Heard Shri P. Krishna Reddy, learned
counsel for the applicant and also Shri J. Siddaiah,
learned standing counsel for the Respondents.

2. This OA was filed praying for a direction
to the Respondents not to proceed with the enquiry
against the applicant in pursuance of the charge sheet
issued in Standard Form No. 5 in Memo. B/T .Con/Com./86/1
dated 22-8-91 and also ^{for being} set aside the order of suspension
issued by the Respondent 1 on 4-9-91. It is now
stated for the Respondents that the enquiry against
the applicant in pursuance of the charge sheet dated
22-8-91 referred to above was over and the order
dated 10-2-94 was passed by the disciplinary authority
removing the applicant from service and the appeal
thereon was dismissed by order dated 6-6-92.

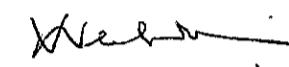
3. ^{The only now} Hence remedy for the applicant is to challenge
the order dated 10-2-94 as confirmed by the appellate
authority. It is open to the applicant to raise
all the contentions which were raised in this OA in
the proceeding, he chooses to initiate, for challenging
the order dated 10-2-94 as confirmed by the appellate
authority on 6-6-94, for this OA has become infructuous
and as the enquiry is over and the order was passed
by the disciplinary authority and the same was challenged
in the appeal which was also dismissed.

X

6/10/96 X

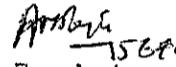
4. In the result, this OA has become infructuous and accordingly it is dismissed. As already observed it is open to the applicant to raise all the contentions which were referred to in this OA in the proceeding ~~which he initiates~~ against the order dated 10-2-94 which was confirmed by the appellate authority on 6-6-94. No costs.


(R. RANGARAJAN)
Member (Admn.)


(V. NEELADRI RAO)
Vice-Chairman

Dated the 9th June, 1994
Open court dictation

NS


15/6/94
Deputy Registrar (Judl.)

Copy to:-

1. The Divisional Operating Superintendent, (Movement), S.C.Railways, Vijayawada.
2. The Chief Yard Master, Vijayawada Railway Yard, ~~S.C.R. Vijayawada~~.
3. One copy to Sri. P.Krishna Reddy, advocate, CAT, Hyd.
4. One copy to Sri. J.Siddaiah, Addl. CGSC, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

Rsm/-

300289
Page 15
16

OA 887/91

TEMPED BY

COMPARED BY

CHECKED BY

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.G.RTHI : MEMBER(A)

AND

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

AND

THE HON'BLE MR.R.RANGARAJAN : MEMBER(A)

Dated: 9/6/1994.

ORDER/JUDGMENT:

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

O.A.No.

887/91

T.A.No.

(W.P.)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions
Dismissed.

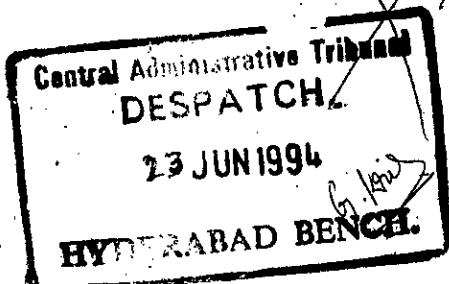
Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm



G
3 IS 94

23 JUN 1994