

(34)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.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.)

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JUDGEMENT

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

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

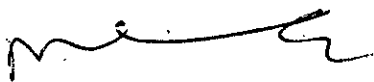
2. This OA was filed praying for a direction to the Respondents not to proceed with the enquiry against the applicant in pursuance of the charge sheet issued in Standard Form No. 5 in Memo. B/T .Con/Com./86/1 dated 22-8-91 and also ^{for time} set aside the order of suspension issued by the Respondent 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. Hence, ^{the only answer} remedy ^{for time} 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, ^{if} 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.

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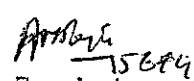
4. In the result, this OA has become infructuous and accordingly it is dismissed. As already observed it is open to the applicant to raise all the contentions which were referred to in this OA in the proceeding ~~which he~~ initiates against the order dated 10-2-94 which was confirmed by the appellate 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


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.

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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. C. RTHI : MEMBER(A)

AND

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

AND

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

Dated: 9/6/-1994.

ORDER/JUDGMENT: ✓

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

in

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

