

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

R.A. No. 61/94
in
O.A.No. 1146/91.

Dt. of Decision : 20.1.95.

Mohd. Imtiaz Hussain

.. Applicant.

Vs

1. The Director of Postal Services,
Hyderabad Region, Hyderabad.

2. M. Laxmaiah

.. Respondents.

Counsel for the Applicant : Mr. S.Ramakrishna Rao

Counsel for the Respondents : Mr. N.R.Devaraj, Sr.CGS.

CORAM:

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

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

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P. J. V.

(13)

R.A.No.61/94
in
O.A.No.1146/91.

JUDGMENT

Dt:20.1.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri S.Ramakrishna Rao, learned counsel for the applicant and Shri N.R.Devaraj, learned standing counsel for the respondents.

2. The applicant in the OA 1146/91 filed this R.A.praying for review of the order dated 5.11.1993 in the OA. One of the main points which had arisen for consideration in OA 1146/91 is the date from which the period of six months has to be reckoned for the purpose of limitation as envisaged under Rule 29(1) of CCS (CCA) Rules. It was discussed at length and various judgments on the subject ^{were} also referred to in the order dated 5.11.1993. The applicant is not now relying upon any other judgment. The applicant cannot be permitted to reagitate the same point in the review application.

3. It is a case where the revisional authority passed the impugned order in conducting the inquiry when the disciplinary authority dropped the proceeding in regard to which the show cause notice ^{was} issued under Rule 16 of CCS (CCA) Rules. The arguments were advanced ~~for~~ for the applicant in the OA at the time of consi-

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To

1. The Director of Postal Services,
Hyderabad Region, Hyderabad.
2. M.Laxmaiah, ASP/Inquiry Officer,
C/o Superintendent of Post Offices, Karimnagar Division,
Karimnagar.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One copy to Library, CAT.Hyd.
6. One sparecopy.

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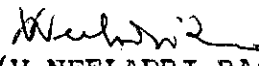
.. 3 ..

deration of the same by contending that there were no grounds for revision. All these points were considered in the OA and it is not again open to the applicant to reagitate the same.

4. The date of ~~revision~~ representation which was mentioned as 16.5.1990 in the order dated 5.11.1993 was amended as 30.1.1991 as per the order dated 7.4.1994 when the original disciplinary proceeding was initiated under Rule 16 of the CCS (CCA) Rules and as the revisional authority ordered inquiry, it can be only from 30.1.91, the date on which the applicant submitted the representation to the show cause notice issued by the revisional authority, and in fact there was no inquiry under rule 14 after 16.5.1990, the date on which the applicant submitted the representation to the show cause notice issued under Rule 16 of the CCS (CCA) Rules. Hence, even the contentions raised at para 4(e) and para-5 of the review application do not merit consideration.


5. This RA is devoid of merits. Accordingly it is dismissed. No costs./


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 20th January, 1995.
Open court dictation.

vsn


31-135
Deputy Registrar (J) CC

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