

ANNEXURE- I

List of Papers in Original Application No.

98/92

Sl.No. Of Papers.	Date of Papers Or Date of Filing.	Description of Papers.
		Part I
	4.2-92	Original Judgement
		O.A. & Material Papers.
		Counter
		Reply Counter

PART - I, PART - II, PART - III  
Destroyed.

19/3/99

CA 98/92

Date	Office Note	Orders
14.10.92		applicant's counsel not present phoned 20.11.92
5.11.92	counter filed by Mr. N.R. Demas, sr clerk on 9.8.92 28.10.92.	<div>HRBS M(A)</div> <div>HRBS M(T)</div> <div>2</div> <p>MA 1176/92 is CA 98/92.</p> <p>Delay is condoned in filing the counter-affidavit. Review the counter and keep the same on record. List the CA for final hearing in its usual course.</p> <div>T - C n H TCR M(T)</div>
		re-ur requests of applicant's counsel phoned 10.12.92
17-12-92		<div>HRBS M(A)</div> <div>T - C n H TCR M(T)</div> <div>2</div> <p>NO cause list today. List it on 20.1.93.</p> <div>HRBS M(A)</div> <div>T - C n H TCR M(T)</div>



# Central Administrative Tribunal

HYDERABAD BENCH

O.A. No. 147

98/1992

M. Sudhakar Babu

Versus

Applicant (s)

The Asst. Director, SP, Ministry of Home Affairs, Madras 20th

Respondent (s)

Date	Office Note	Orders
10.2.92		Mr.Y.Narasimha Reddy, Advocate for the applicant and Mr.M.Jaganmohan Reddy, Advocate for the respondents are present. Heard both sides. As <del>it</del> is a fit matter for adjudication admit the OA. The respondents may file their reply opposing the OA within 8 weeks with a copy to the Advocate for the applicant. Advocate for the applicant will be at liberty to file rejoinder if any within 2 weeks thereafter. List this OA for hearing in the usual course after the pleadings are completed.
	2 N2 Served USNR.	T. S. A. (HTCSR) M(J)
	1 the D.R. (17)	Verify through RMS for Service of notice on R-3. Call on 4-6-92
	6PS Vertical 1/92	A. S. S. V. 92 Dr Registrar
11.6.92	med on 20.2.92 tal dept. hr. 5-92.	Given after granting 8 weeks time for filing counter, the counter is not filed. Hence post before court for orders.
	Registrar Counter	A. S. S. V. 92 Registrar

16/2

20/4

(P.T.O.)

OA 98/92

(2)

(2)

Date	Office Note	Order
16-6-92		<p>Six weeks further time is granted for filing counters prayed for by the learned coun for the respondents. <del>is allowed</del>. The applicant may file his rejoinder if within 2 weeks thereafter. Thereafter the OA <del>is</del> listed for final hearing usual course.</p> <p>M. M. Toldhan Reddy. Standing Coun for the respondents is present.</p> <p>(C) T - (C) b (HPC) (HCSR) (HJ)</p>
8-9-92		<p>on a pt by Sri K Sndhakreddy on behalf of M. Jagann Mo Reddy. This case a</p> <p>11-9-92</p> <p>(L) HRES M(A)</p> <p>for by HCTR M(J)</p>
11.9.92		<p>Listed for final hearing 10.92.</p> <p>(L) HRES M(A)</p> <p>for by HCTR M(J)</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH  
AT HYDERABAD

D.A.No. 98/92

I.A.No.

Dt. of Decision: 4-2-93 2.

M. Sudhakar Babu	Petitioner
Shri Y. Narasimha Reddy	Advocate for the Petitioner (s)
Versus	
Asst. Director, Subsidiary, Intelligence Bureau, Madras.	Respondent.
Shri N.R. Devaraj	Advocate for the Respondent (s)

CORAM:

THE HON'BLE MR. V. Neeladri Rao, Vice-Chairman.

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

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters 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.)

avl/

HVNRJ  
VC

HRBS  
M(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD

AT HYDERABAD

OA No. 98/92

Date of judgement: 4-2-93

Between

M. Sudhakar Babu,  
2/1083, Nagarajpet,  
Cuddapah

: Applicant

And

1. The Assistant Director,  
Subsidiary, Intelligence  
Bureau, Ministry of Home Affairs,  
Govt. of India, Mylapore,  
Madras-4.

2. The Deputy Director,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India, Mylapore,  
Madras-4.

3. The Deputy Director (E),  
Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India, New Delhi.

: Respondents

COUNSEL FOR THE APPLICANT : Shri Y. Narasimha Reddy

COUNSEL FOR THE RESPONDENTS : Shri N.R. Devaraj

CORAM

Hon'ble Shri V. Neeladri Rao, Vice-Chairman

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

(Judgement of the division bench as delivered by  
Shri V. Neeladri Rao, Vice-Chairman)

This is an unfortunate case where the appli-  
cant moved this Tribunal number of times in view  
of his removal from service by an order dated  
11-1-85. The applicant filed WP No. 566/85 challenging

-/-.....2

the order dated 11-1-85 whereby he was removed from service. The said case was transferred to this Tribunal and registered as TA 847/86. The same was disposed of on 23-8-90 whereby the order of removal was set aside and a fresh enquiry was ordered. Again the order of removal was passed on 29-8-91 after a fresh enquiry. The same was challenged in the OA No. 1013/91. That OA was disposed of on 31-10-91 by holding that the impugned order of removal was not a speaking order. Then again, order dated 18-12-91 was passed removing the applicant from service. The said order was challenged on various grounds and one of them is that he could not comply with the order dated 12-9-83 transferring him to Port Blair as he made a representation for retention and he also sent leave applications without any break and when such representations were not acceded to he even sought advance T.A and salary to enable him to report at Port Blair and the same was not provided. But the applicant had not referred to any documents in support of his contention that when he requested for TA advance, the same was refused. When it was represented that the applicant was in service for a long period and because of his age he cannot get into any other service at this stage, the learned counsel for the respondents was enquired as to whether the applicant can now be taken into service by treating the period in which he is not in duty as leave without pay. Then the learned counsel for the applicant had drawn our attention to Para 6(b) in the counter dated 29-4-92 and the relevant portion reads as under:

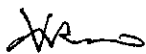
"In his appeal dated 9-11-91 to the Appellate authority he did not express his inclination to complete the border tenure even at this point of time. Had

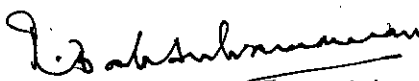


he shown any inclination to accept the posting and complete the border tenure, lenient view would have been taken. On the other hand, the applicant continued to insist upon his being posted in Andhra Pradesh".

Now the learned counsel for the applicant submits that the applicant is prepared to serve even in Port Blair or <sup>in</sup> any other place to complete the border tenure or at any place to which he may be posted. We feel and trust <sup>that</sup> in view of the relevant portion referred to in the counter ~~that~~ the authorities may still consider the said inclination of the applicant if he approaches them on humanitarian grounds.

With the above observation, the OA is dismissed with no order as to costs.

  
(V. Neeladri Rao)  
Vice-Chairman

  
(R. Balasubramanian)  
Member (Admn.)

Open court dictation

Dated 4th February, 1993.

NS

  
Deputy Registrar

To

1. The Assistant Director, Subsidiary, Intelligence Bureau, Ministry of Home Affairs, Govt. of India, Mylapore, Madras-4
2. The Deputy Director, Subsidiary Intelligence Bureau, Ministry of Home Affairs, Govt. of India, Mylapore, Madras-4.
3. The Deputy Director (E) Intelligence Bureau, Ministry of Home Affairs, Govt. of India, New Delhi.
4. One copy to Mr. Y. Narasimha Reddy, Advocate, 3-6-740, Himayatnagar, Hyderabad.
5. One copy to Mr. N. R. Devraj, Sr. CGSC. CAT. Hyd.
6. One spare copy.

pvm

30/2/93  
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TYPED BY

COMPILED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. V. NEELADRI RAO : V.C.

AND

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

AND

THE HON'BLE MR. CHANDRA SEKHAR REDDY  
: MEMBER (J)

AND

THE HON'BLE MR.

DATED: 4-2-1993

ORDER/JUDGMENT: ✓

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

in

C.A.No.

98/92

T.A.No.

(W.P.No. )

Admitted and Interim directions  
issued.

Allowed

Disposed of with directions

Dismissed as withdrawn

Dismissed ✓

Dismissed for default

Rejected/Ordered

No order as to costs

pvm

