

Reply Counter

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

ANNEXURE- I

List of Papers in Original Application No. 99/92

Sl.No. Of Papers.	Date of Papers Or Date of Filing.	Description of Papers.
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Part I

Original Judgement

O.A. & Material Papers.

Counter

Reply Counter

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

19/3/99

Date	Office Note	Orders
		<p>Bench which granted interim orders on 14.2.1992. Today, before us, a letter is filed by the learned counsel for the applicant that the applicant was retained at Bhimavaram and consequently he does not want to press the application. In view of the above, the OA is dismissed as not pressed. No costs.</p> <p>(Dictated in the open Court).</p> <p>D HRBS M(A)</p> <p>HCJR M(J)</p>

# Central Administrative Tribunal

HYDERABAD BENCH

O.A. No. / P.A. No.

99/1992

M. Krishna Murthy

Applicant(s)

Versus

Th. C. M. Sury, Seibad & Lother

Respondent (s)

Date	Office Note	Orders
14-2-92		<p><u>7.2.92.</u></p> <p>Heard Shri P. Krishna Reddy, Learned Counsel for the Applicant and Shri N.V.Ramana, SC for Railways. Orders on admission hearing reserved. Till then the transfer order dated 20-1-92 is suspended. C.C. ordered.</p> <p><u>KB</u> <u>urthy</u> HRBS MCJR M(A) M(J).</p>
14-2-92		<p><u>14-2-92</u></p> <p><u>Orders</u> Judgment pronounced on admission hearing, with directions and interim orders. List the case for hearing on 10-3-1992. orders vide separate sheets.</p> <p><u>KB</u> <u>urthy</u> HRBS MCJR M(A) M(J)</p>
12-3-92		<p>Mr. P. Krishna Reddy requested for adjournment in this case. He stated that counter has been received yesterday and counter is still in the stage of scr Mr. NV Ramana opposed adjournme this case. After hearing both sides</p>

(2)

OA 99/92

Date	Office Note	Orders
18-3-92		<p>The case for admission hearing on 18-3-92.</p> <p>The interim order already passed will continue till that date. The respondents are required to produce the relevant records. The case is likely to be disposed of at the admission stage.</p> <p>TV (HRBS) T - C. R. (HCSF) M(A) M(J)</p>
18-3-92		<p>On a request by Mr. P. Krishna Reddy list this case "for orders" on 24-3-92. The case to be listed before the same Bench that has earlier passed the interim order of suspension of the transfer order.</p> <p>TV (HRBS) T - C. R. (HCSF) M(A) M(J)</p> <p>(Orders dictated by Hon'ble Shri C.J. Roy Member (Judi.))</p>
24.3.1992		<p>Mr. P. Krishna Reddy is represented by his proxy counsel Mr. TVN Reddy on behalf of the applicant and Mr. N.V. Ramana, learned Standing Counsel for the respondents is present. Both are heard. On 7.2.1992 the transfer orders were stayed by an interim order of this Tribunal. Subsequently, the case was directed to be posted before the same</p> <p>contd....3</p>

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO.99/92

Date of Order: 7-2-92.

Between:

M.Krishna Murthy,

.. Applicant.

and

1. The General Manager, S.C.Rly, Secunderabad.
2. The Chief Engineer, S.C.Rly, Secunderabad.
3. The Senior Divisional Engineer, S.C.Rly (Coordination),  
Vijayawada.
4. The Divisional Railway Manager, Personnel Branch,  
S.C.Rly, Vijayawada.
5. Assistant Engineer, (Maintenance) S.C.Rly,  
Bhimavaram, West Godavari Dist.

.. Respondents.

For the Applicant: Mr.P.Krishna Reddy, Advocate

For the Respondents: Mr.N.V.Ramana, SC for Rlys.

CORA M:

THE HON'BLE MR.R.BALASUBRAMANIAN : MEMBER(ADMN)

AND

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

The Tribunal made the following Order:-

Orders on admission hearing reserved.

Till then the transfer order dated 20-1-92 is suspended.

Deputy Registrar (J)

7292

To

1. The General Manager, S.C.Rly, Secunderabad.
2. The Chief Engineer, S.C.Rly, Secunderabad.
3. The Senior Divisional Engineer, S.C.Rly  
(Coordination), Vijayawada.
4. The Divisional Railway Manager, Personnel Branch, S.C.Rly  
Vijayawada.
5. The Assistant Engineer (Maintenance) S.C.Rly,  
Bhimavaram, West Godavari Dist.
6. One copy to Mr.P Krishna Reddy, Advocate, CAT.Hyd.
7. One copy to Mr.N.V.Ramana, SC for Rlys CAT.Hyd.
8. One spare copy.

pvm

14/1

TYED BY  
CHECKED BY

COMPARED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.

V.C.

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

AND

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

AND

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

DATED: 7 - 2 - 1992

ORDER/JUDGMENT

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

in

O.A.No. 99/92

T.A.No.

(W.P.No. )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions.

Dismissed

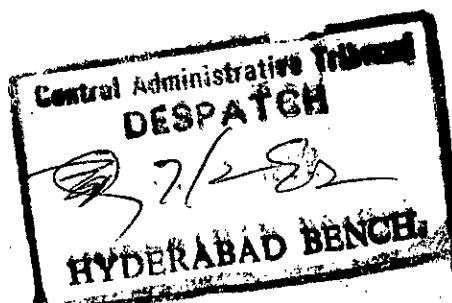
Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.

P.V.M.



O.A.No.99/92.

Pre-delivery Orders in the above O.A.  
prepared by Hon'ble Sri C.J.Roy, M(J)  
for concurrence please.

To

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

12/12/92 ✓

For Postip on 14/12/92

12  
12/12/92 ✓

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23

# Central Administrative Tribunal

## HYDERABAD BENCH : AT HYDERABAD

O.A. No. 99/92.

Date of Decision : 14.2.1992

~~Ex-Acc~~

M. Krishna Murthy

Petitioner.

Sri P.Krishna Reddy

Advocate for the  
petitioner (s)

Versus

The General Manager, S.C.Rly., Sec'bad and Respondent.  
4 others

Shri N.V.Ramana, Standing Counsel for Rly. Advocate for the  
Respondent (s)

**CORAM :**

THE HON'BLE MR. R. BALASUBRAMANIAN, MEMBER (ADMN.)

THE HON'BLE MR. C.J. ROY, 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)

HCJR  
M (J)

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL::HYDERABAD BENCH::AT HYD.

O.A.No. 99/92.

Date of Decision: 14.2.1992.

Between;

M. Krishna Murthy .. . . . . Applicant

Vs.

1. The General Manager, South Central Railway, Sec'bad.
2. The Chief Engineer, S.C.Rly., Secunderabad.
3. The Sr. Divisional Engineer, S.C.Rly (Co-ordination), Vijayawada.
4. The Divisional Rly. Manager, Personnel Branch, S.C.Rly., Vijayawada.
5. Asst. Engineer (Maintenance), S.C.Rly., Bhimavaram, West Godavari Dist. .. . . . . Respondents

For the applicant : Shri P.Krishna Reddy, Advocate.

For the respondents : Shri N.V.Ramana, Standing Counsel for Railways.

CORAM:

HON'BLE SHRI R. BALASUBRAMANIAN, MEMBER (ADMN.)

HON'BLE SHRI C.J. ROY, MEMBER (JUDL.)

X ORDER OF THE BENCH AS PER HON'BLE SHRI C.J.ROY, MEMBER (J) X

....

This is an application filed under sec.19 of the Administrative Tribunals Act, 1985 to quash the transfer order No.B/P. 676/VII/2/Vol.III dt. 20-1-1992 and for a direction to the respondents to retain the applicant at Bhimavaram for another period of about 7 months till his retirement on 30-9-1992.

2. The applicant states that he is presently holding the post of Chief Inspector of Works under the control of 5th respondent and due to retire on 30-9-1992 having put in 33 years of service. The applicant averred that he was placed

....2.

10/26

: 2 :

under suspension during the month of April, 1991 on the ground that he had placed indents for purchase of stores even though the stocks were available. The applicant challenged the said order of suspension in O.A.No.825 of 1991 before this Tribunal and states that the order of suspension was quashed by Judgment dt. 27-12-1991 by allowing the said application. The applicant states that the Tribunal directed the respondent to proceed with the disciplinary case according to law. The applicant resumed the duties on 21-1-1992. The applicant alleges that the impugned order of transfer dated 20-1-1992 was served on him on 21-1-1992 itself transferring him to Vijayawada. The applicant submitted a representation dt. 22-1-1992 to the Divisional Railway Manager, S.C.Railway, Vijayawada requesting him to retain at Bhimavaram atleast for three months viz. till 30-4-1992 for the reasons stated therein. The applicant alleges that he was not favoured with any reply so far in the matter. The applicant averres that the impugned order of transfer is made to harrass him and with malafide intentions. The applicant states that he is due to retire on 30-9-1992 and that as a general principle the Government servant should as far as possible be posted nearer to his home town in the last lap of his service. The applicant also averres that the respondents issued the transfer orders with a view to seek <sup>Wreak</sup> vengeance against him for approaching the Tribunal in O.A. 825 of 1991 and for getting the same quashed. The applicant also averred that the respondents are not prepared to allow him to continue at Bhimavaram till the end of the academic year inspite of his request, with malafide intentions. Hence this O.A.

28

To

1. The General Manager, S.C.Railway, Secunderabad.
2. The Chief Engineer, S.C.Rly, Secunderabad.
3. The Sr. Divisional Engineer, S C.Rly,  
(Co-ordination), Vijayawada.
4. The Divisional Rly. Manager, Personnel Branch,  
S.C.Railway, Vijayawada.
5. The Assistant Engineer (Maintenance),  
S.C.Railway, Bhimavaram West Godavari Dist.
6. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd.
7. One copy to Mr.N.V.Ramana, SC for Rlys, CAT.Hyd.
8. One spare copy.

pvm

5th Feb  
Jm  
14/2/84

QB

: 3 :

3. We heard Sri P.Krishna Reddy, learned counsel for the applicant and Sri N.V.Ramana, learned Standing Counsel for Railways on 7-2-1992. It can be seen that the applicant was placed under suspension in April, 1991 on the ground that there is something wrong in placing the indents for purchase of stores. The applicant approached this Tribunal in O.A.No.825 of 1991 questioning the said order of suspension. By orders dt. 27-12-1991 this Tribunal quashed the order of suspension. However, the disciplinary proceedings were directed to be continued according to law. But the applicant is transferred from Bhimavaram to Vijayawada by orders dt. 20-1-1992. The applicant claimed that he may be retained atleast for three months. Having retained the applicant at Bhimavaram so long, by retaining the applicant for three more months; will the departmental proceedings ~~will~~ be affected are not, it is a matter/will be known after getting the counter from the respondents. The ~~for~~ allegations for transfer are harrassment and malafides. This transfer is made when he is ~~supposed~~ due to retire on 30-9-1992. The applicant also claims that the transfer is made with vengeance and prayed for interim suspension. Sri N.V.Ramana, learned counsel for respondents vehemently opposed stating that there are no malafides.

4. Under the circumstances, we choose to suspend the impugned order dt. 20-1-1992 bearing No. B/p. 676/VII/2/Vol.II until further orders. The respondents are directed to file their reply within four weeks with an advance copy to the applicant against admission and interim relief. List the case for hearing on 10-3-1992.

R.Balasubramanian

( R.BALASUBRAMANIAN )  
MEMBER (A)

*urby*  
( C.J. ROY )  
MEMBER (J)

Dated: 14-<sup>th</sup> February 1992

*8/4/2*  
repy. Registrar (J)

grh.

1. TYPED BY \_\_\_\_\_ COMPARED BY \_\_\_\_\_  
2. CHECKED BY \_\_\_\_\_ APPROVED BY \_\_\_\_\_  
3. *To be sent to  
parties*  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD  
*To be sent on 10/3/52  
for action of the*  
THE HON'BLE MR. *✓* V.C.  
THE HON'BLE MR. R. BALASUBRAMANIAN : M(A)  
AND  
THE HON'BLE MR. T. CHANDRASEKHAR REDDY :  
M (JUDL)  
AND  
THE HON'BLE MR. C. J. ROY : MEMBER (JUDL)

DATED: 14-2-1992

ORDER/JUDGMENT

R. A. / C. A. / M. A. N.

in  
99/92  
O.A.Nc.

T. A. No. \_\_\_\_\_ (W. P. No. \_\_\_\_\_ )

Allowed List the case in 1013/92

Disposed of with directions.

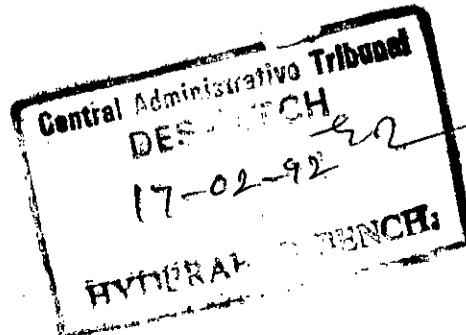
Dismissed

Dismissed as withdrawn

Dismissed for Default.

M. A. Ordered/ Rejected

No order as to costs.



(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A. NO. 99/92.

Date of Order: 24-3-92.

Between:

M. Krishna Murthy. ✓ .. Applicant.

and

1. The General Manager, S.C.Rly, Secunderabad. ✓
2. The Chief Engineer, S.C.Rly, Secunderabad. ✓
3. The Senior Divisional Engineer, S.C.Rly (Co-ordination) Vijayawada. ✓
4. The Divisional Railway Manager, Personnel Branch, S.C.Rly, Vijayawada. ✓
5. The Assistant Engineer (Maintenance) S.C.Rly, Bhimavaram, W.G.Dist. ✓

Mr.T.V.N.Reddy, Advocate for .. Respondents.

For the Applicant: Mr.P.Krishna Reddy, Advocate ✓

For the Respondents: Mr.N.V.Ramana, SC for Rlys. ✓

CORAM:

THE HON'BLE MR.R.BALASUBRAMANIAN : MEMBER(ADMN) ✓

AND ✓

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

(Orders dictated by Hon'ble Shri C.J.Roy, Member(Judicial))

Mr.P.Krishna Reddy is represented by his proxy counsel Mr.T.V.N.Reddy on behalf of the applicant and Mr.N.V.Ramana, learned standing counsel for the respondents is present. Both are heard. On 7.2.1992 the transfer orders were stayed by an interim order of this Tribunal. Subsequently, the case was directed to be posted before the same Bench which granted interim orders on 14-2-1992. Today, before us, a letter is filed by the learned counsel for the applicant that the applicant was retained at Bhimavaram and consequently he does not want to press the application. In view of the above, the O.A. is dismissed as not pressed. NO costs. ✓

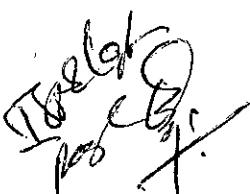
Deputy Registrar (J)

828/3/92

To

1. The General Manager, S.C.Rly, Secunderabad. ✓
2. The Chief Engineer, S.C.Rly, Secunderabad. ✓
3. The Senior Divisional Engineer, S.C.Rly (Co-ordination) Vijayawada. ✓
4. The Divisional Railway Manager, Personnel Branch, S.C.Rly, Vijayawada. ✓
5. The Assistant Engineer, (Maintenance) S.C.Rly, Bhimavaram, W.G.Dist. ✓
6. One copy to Mr.P.Krishna Reddy, Advocate, CAT.Hyd. ✓
7. One copy to Mr.N.V.Ramana, SC for Rlys, CAT.Hyd. ✓
8. One spare copy. ✓

pvm.



TYBED BY  
CHECKED BY

COMPARED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.

V.C.

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

AND

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

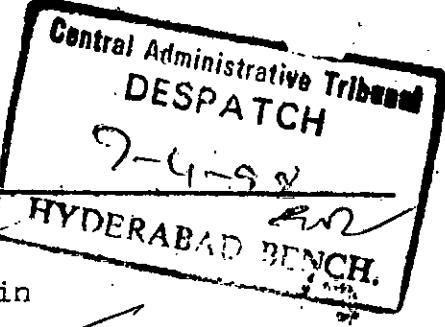
AND

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

DATED: 26-3-1992

ORDER/JUDGMENT:

R.A/C.A M.A.N.



in

O.A.No. 99/92

T.A.No. (W.P.No. )

Admitted and interim directions  
issued.

Allowed

Disposed of with directions.

Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/Rejected

No order as to costs.

*3/2/92*  
*3/2/92*