

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.

Part I

14.12-82

Original Judgement


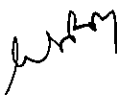
O.A. & Material Papers.

Counter

Reply Counter

19/3/99

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

Date	Office Note	Orders
		<p data-bbox="773 332 1576 845">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 data-bbox="915 912 1460 957">(Dictated in the open Court).</p> <div data-bbox="855 1024 954 1175"><p data-bbox="900 1024 954 1103"></p><p data-bbox="855 1103 933 1175">HRBS M(A)</p></div> <div data-bbox="1367 1010 1511 1170"><p data-bbox="1395 1010 1511 1103"></p><p data-bbox="1367 1103 1445 1170">HCJR M(J)</p></div>


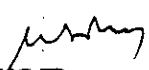

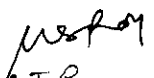
HYDERABAD BENCH

99/1992

4. Applicant-(s)

Versus

Respondent (s)

Date	Office Note	Orders
		<p align="center"><u>7.2.92.</u></p> <p align="center">Heard Shri P.Krishna Reddy, Learned Counsel for the Applicant and Shri N.V.Ramana, SC for Railways.</p> <p align="center">Orders on admission hearing reserved. Till then the transfer order dated 20-1-92 (is suspended. C.C. ordered.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  HRBS M(A). </div> <div style="text-align: center;">  HCJR M(J). </div> </div> <p align="center"><u>14-2-92</u></p> <p align="center">Judgment^{/orders} pronounced on admission hearing, with directions and interim orders. List the case for hearing on 10-3-1992. orders vide separate sheets.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  HRBS M(A) </div> <div style="text-align: center;">  HCJR M(J) </div> </div> <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>
2-3-92		

(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>(HRS) (HCSR) M(A) M(D)</p>
24.3.1992		<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>(HRS) (HCSR) M(A) M(D)</p> <p>(Orders dictated by Hon'ble Shri C.J. Roy Member (Judl.))</p> <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

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TYPED 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

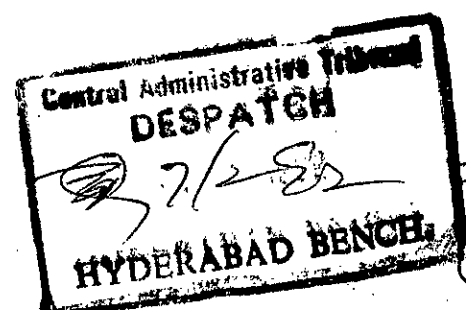
Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.

pvm.



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) .

[Signature]
12/12/92

[Signature]
12/12/92

For P.S. on 14/12/92
[Signature]

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 99/92.

Date of Decision : 14.2.1992.

~~Ex. No.~~

M. Krishna Murthy

Petitioner.

Sri P. Krishna Reddy

Advocate for the
petitioner (s)

Versus

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

Respondent.

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)

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.

: 2 :

under suspension during the month of April, 1991 on the ground that he had placed indents for purchase of stores eventhough 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 avers 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 avers that the respondents issued the transfer orders with a view to ^{break} seek 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.

2/8/92

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 April
Jm 14/2/82

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 ^{which} will be known after getting the counter from the respondents. The allegations for transfer are ^{are 2} harrasment and malafides. This transfer is made when he is ^{due} supposed to retire on 30-9-1992. The applicant also claims that the transfer is made with vengence 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 22 10-3-1992.

R. Balasubramanian
(R. BALASUBRAMANIAN)
MEMBER (A)

C.J. Roy
(C.J. ROY)
MEMBER (J)

Dated: 14th February 1992

8142
Deputy Registrar

110
③
URGENT

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

To be sent to
particular
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: 14-2-1992

ORDER/JUDGMENT:

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

in

O.A.No.

T.A.No.

(W.P.No.)

Admitted and interim directions
issued.

Allowed List the case on 10/3/92

Disposed of with directions.

Dismissed

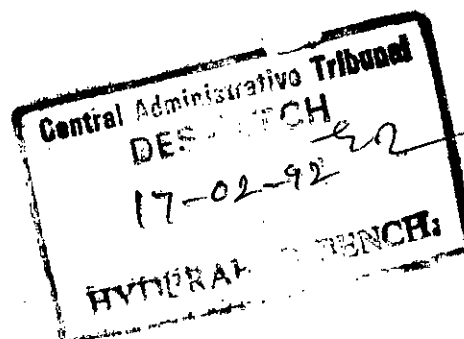
Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.

pvm.



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)

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.

Handwritten signature/initials

TYPED 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: 21-3-1992

ORDER/JUDGMENT:

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

in

O.A.No.

T.A.No.

(W.P.No.)

Admitted and interim directions
issued.

Allowed

Disposed of with directions.

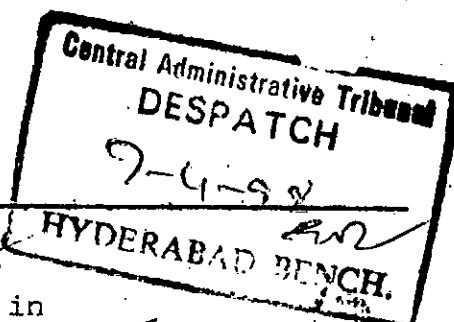
Dismissed

Dismissed as withdrawn

Dismissed for Default.

M.A. Ordered/ Rejected

No order as to costs.



Handwritten signature and date 21/3/92.