

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD

O.A. No. 1110/92

XXX No.

Dt. of Decision 29.4.93

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Petitioner

Advocate for
the petitioner
(s)

Versus

Respondent.

Advocate for
the Respondent
(s)

CORAM

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

THE HON'BLE MR. P.T. Thiruvengadam, Member (Admn.)

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
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.)

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HPTT
M(A)

HVNR.j
VC

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1110 of 1992

DATE OF JUDGMENT: 29th April, 1993

BETWEEN:

Mr. G.Subrahmanyam .. Applicant

AND

Union of India, represented by
the Accountant General (Audit-I),
Madras-35. .. Respondent

APPEARANCE:

COUNSEL FOR THE APPLICANT: Mr. G.Subrahmanyam, Party-in-person

COUNSEL FOR THE RESPONDENT: Mr. G.Parameswara Rao, SC for IA&AD

CORAM:

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

Hon'ble Shri P.T.Thiruvengadam, Member (Admn.)

JUDGMENT OF THE DIVISION BENCH DELIVERED BY THE HON'BLE SHRI
JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

The applicant retired as Audit Officer, office of the Accountant General, Audit-I, Madras and he is residing at Hyderabad. When he was short of hearing, he approached the ENT Doctor and the latter recommended Novax Super Master hearing aid. Then, the concerned office called for quotations and accepted the lowest

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quotation of M/s New Modern Ear Aids and a Demand Draft for Rs.755/- was drawn in favour of the said firm and it was handedover to the applicant in February 1991. The applicant states that he went to the said firm and found the hearing aid shown by the said firm as of inferior quality and ~~is~~ ^{was} not ~~of~~ working condition and hence he has not delivered the Demand Draft to M/s New Modern Ear Aids and returned it in the office.

2. The applicant submitted that the later make of Novax Super Master hearing aid is of good quality and the make of the earlier year is of inferior quality. When the Doctor had recommended in October 1990 that Novax Super Master Earphone is ~~not~~ suitable in view of the extent of the deafness of the applicant, it is just and proper to hold that the ^{new} said recommendation was made by keeping in view the latest make of Novax Super Master Earphone. Hence, we direct the respondent to call for quotations for the latest make of Novax Super Master Earphone as in October 1990 (it means that the latest make ~~is~~ ^{by} in October 1990) and the Demand Draft for the accepted quotation in the name of the concerned firm has to be handed over to the applicant. It is also proper to give liberty to the applicant to purchase the hearing aid of his choice and if it is in excess of the amount of the Demand Draft given, the applicant has to bear it, and if it is for an amount less than the amount for which the Demand Draft is given, the difference has to be refunded to the respondent.

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Steps in pursuance of this order have to be initiated by the respondent within one month from the date of receipt of this order.

3. The OA is ordered accordingly. No costs. Office has to communicate a copy of this order to the respondent by 10th May, 1993.

(Dictated in the open Court).

P. T. Thiruengadam
(P.T. THIRUVENGADAM)
Member (Admn.)

V. Neeladri Rao
(V. NEELADRI RAO)
Vice Chairman

Dated: 29th April, 1993.

83/5/93
Deputy Registrar (J)

vsn

To

1. The Accountant General (Audit-I)
Union of India, Madras-35.
2. One copy to Mr.G.Subrahmanyam, Party-in-person,
51-GAII? SBH Colony, Gaddiannaram Venture, Hyd-660.
3. One copy to Mr.G.Parameswar Rao, SC for A.G. CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

pvm

26/4/93
3/5/93