

49

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.716/92

Date of Order: 21.8.1992.

BETWEEN:

J.Thammaiah

.. Applicant.

A N D

1. The Secretary to the Govt.
of India, Ministry of Information
and Broad Casting, Govt. of
India, New Delhi- 110 001.

2. The Director General, A.I.R.,
Akashvani Bhavan, Parliament
Street, New Delhi - 110 001.

.. Respondents.

Counsel for the Applicant

.. Mr.P.Venkateswarlu

Counsel for the Respondents

.. Mr.M.Rajeswara Rao for
Mr.N.V.Ramana

CORAM:

HON'BLE SHRI T.CHANDRASEKHARA REDDY, MEMBER (JUDL.)

(Order of the Single Member Bench delivered by
Hon'ble Shri T.Chandrasekhara Reddy, Member (Judl.)).

T. Chandrasekhara Reddy

(50)

This is an application filed under Section 19 of the Administrative Tribunals Act to direct the respondents to consider the case of the applicant for promotion as Senior Time Scale Officer w.e.f. 4.3.1992 and to pass such other order or orders as may deem fit and proper in the circumstances of the case.

Today we have heard Mr. P.Venkateswarlu, Advocate for the applicant and Mr.V.Rajeswara Rao for Mr.N.V.Ramana, Standing Counsel for the respondents.

The facts giving rise to this OA in brief are as follows:

3. The applicant at present is working as Assistant Station Engineer in the All India Radio. The applicant seems to have been transferred recently to Sholapur in the same capacity from A.I.R. Vijayawada. Disciplinary proceedings were initiated as against the applicant in the year 1990. The allegations in the OA disclose that there is frequent change of enquiry officers and as many three officers had conducted the said enquiry up to now. The said departmental enquiry as against the applicant is not yet completed. The grievance of the applicant is, that his immediate junior had been promoted as Senior Time Scale Officer w.e.f. 4.3.1992 and due to the disciplinary proceedings as against the applicant that the applicant had not been considered for promotion to the said post of Senior Time Scale Officer. Pleadings are silent with regard to the Sealed Cover Procedure. It is not made known when the immediate junior of the applicant was promoted on 4.3.1992 whether the applicant was also considered for the said promotion by the said committee by following the Sealed Cover procedure. Nevertheless as Departmental enquiry

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proceeding is pending from more than two years it will be fit and proper to give appropriate directions to the respondents to safeguard the interest of the applicant as well as interest of the department by disposing of this OA at the admission stage.

4. The respondents shall try to dispose of the disciplinary proceeding pending as against the applicant within six months from the date of communication of this order, failing which we direct the respondents to consider the applicant for promotion to the post of Senior Time Scale Officer in accordance with law, notwithstanding that the said disciplinary proceedings is pending as against the applicant. We make it clear even after the applicant is considered for promotion and if found fit and is promoted that the department would be at liberty to continue the said disciplinary proceeding as against the applicant and pass appropriate orders therein, in accordance with Law.

With the above said direction this OA is disposed of with no order as to costs.

T. Chandrasekhara Reddy.
(T. CHANDRASEKHARA REDDY)
Member (Judl.)

Dated: 21st August, 1992

(Dictated in the Open Court)

Deputy Registrar

To

1. The Secretary to the Govt. of India,
Ministry of Information and Broad Casting,
Govt. of India, New Delhi.
2. The Director General, AIR, Akashvani Bhavan, Parliament Street,
New Delhi-1.
3. One copy to Mr. P. Venkateswarlu, Advocate, 5-9-22/4 Adarshnagar, Hyderabad.
4. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
5. One spare copy.

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3

TYPED BY *RM* COMPARED BY
CHECKED BY *W* APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE MR.

AND

THE HON'BLE MR. T. BALASUBRAMANIAN: M(A)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY:
MEMBER (J)

AND

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

Dated: 21-8-1992

ORDER / JUDGMENT

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

in

O.A.No.

716/92

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 orders as to costs.

pvm.

