

(15)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.1055/93 ~~to~~
OA.1062/93

date of decision : 2-9-1993

1. K. Kameswara Rao (OA.1055/93)
2. D. Venkateswarlu (OA.1056/93)
3. Sk. Khasim (OA.1057/93)
4. I. Chalamaiah (OA.1058/93)
5. G. Ravindra Reddy (OA.1059/93)
6. P. Krishnaiah (OA.1060/93)
7. M. Narasaiah (OA.1061/93) &
8. O. Mallaiah (OA.1062/93) : Applicants

versus

1. The Sub-Divisional Officer
Telecommunications
Peddapalli 505172

2. Ihar-Gal-Sub 050

3. Union of India, rep. by
The Chairman, Telecom Commission
Sanchar Bhavan
New Delhi 110 001

Counsel for the applicants
in all the cases

Counsel for the respondents
in OA.1055/93; OA.1056/93 and
OA.1060/93

for OA.1057/93 & OA.1058/93

Counsel for the respondents
in OA.1059/93; OA.1061/93 and
OA.1062/93

Common respondents
in all the cases

: C. Suryanarayana
Advocate

: N.V. Ramana, Addl. SC
for Central Government

: N.V. Raghava Reddy,
Addl. SC for Central Govt.

: V. Bhimanna, Addl. SC
for Central Government

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. P.T. THIRUVENGADAM, MEMBER (ADMINISTRATION)

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Judgment

(As per Hon'ble Mr.P.T.Thiruvengadam, Member(Admn.))

The applicants in these OAs are casual labourers in Telecommunications Department. They were served with orders of termination from service with one month's notice as per impugned order served on them on 3.8.1993. Enquiries were conducted against the applicants for alleged production of forged and false records with regard to their earlier casual labour service in the department, based on which they were further engaged later. The applicants participated in the respective inquiries and the first respondent in the respective OAs figured as witnesses in the inquiries.

2. The two main contentions for the applicants are that (i) the principles of natural justice are not followed --- ~~before~~ ~~submitting~~ the copy of the inquiry officer's report before the impugned orders are passed; and (ii) the first respondent who passed the orders figured as witness.

3. These cases are squarely covered by the ~~order~~ dated 26.8.1993 in O.A.No.988/83 and batch cases on the file of this Bench. For the reasons stated therein, we allow these OAs at the admission stage by setting aside the impugned orders and by ~~directing~~ ~~the~~ ~~first~~ ~~respondent~~ to appoint another disciplinary authority ~~who~~ who is of the rank equal to or above the first respondent, if it is intended to proceed further with the inquiries and in such a case, it is necessary for disciplinary authority to issue a show-cause notice by enclosing the copy of the ~~inquiry officer's~~ report by informing the applicants that if they intend to challenge the findings therein, they

2nd copy

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have to submit their objections within the time
stipulated.

4. The OA is ordered accordingly. No costs.

P. J. D.

(P.T. Thiruvengadam)
Member (Admn)

Neeladri
(V. Neeladri Rao)
Vice-Chairman

Dated : September 2, 93
Dictated in the Open Court

15993
Deputy Registrar (J)

To

1. The Sub-Divisional Officer,
Telecommunications, Peddapalli-172.
2. The Telecom District Engineer, Karimnagar-050
3. The Chairman, Union of India, Telecom Commission,
Sanchar Bhavan, New Delhi-1.
4. One copy to Mr. N. V. Ramana, Addl. CGSC. CAT. Hyd.
5. One copy to Mr. N. V. Raghava Reddy, Addl. CGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

p.v.m