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CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH

O.A. NO. ~~1239~~ 1239/1993

B. Appa Rao

Applicant (S)

Flag officer, Commanding-in-Chief

Versus

Eastern Naval Command

Respondent (S)

Visakhapatnam & 2 others

Date	Office Note	Orders
4 <sup>10</sup> / <sub>93</sub>		Judgement delivered The OA is dismissed. No costs. orders vide separate sheets.  HPTT M(A)  HVNRTJ VC

OA.1239/93

Judgement

( As per Hon. Mr. Justice V. Neeladri Rao, Vice Chairman )

Heard Sri M.V.K. Vishwanatham, learned counsel for the  
Sri V. Rajeswara Rao, for  
applicant and Sri N.V. Ramana, learned counsel for the  
respondents.

2. This OA is filed praying for quashing the Report of  
the Inquiry under file No.PES/7401/BAR/LHF dated 6-4-1993.

3. The report of the Inquiry Officer was already communi-  
cated to the applicant by the Disciplinary Authority  
requiring the former to submit his objections <sup>to any</sup> in regard to  
the said report. The Disciplinary Authority will naturally  
consider all these objections before taking final decision  
in the matter. It is stated for the applicant that the  
inquiry was closed even though the applicant requested for  
some more time to obtain certificate from MRQ. It is open  
to the applicant to make submission before the Disciplinary  
authority requesting the said authority to order reopening  
the inquiry so as to enable him to submit his caste  
certificate. And if such a representation is going to be  
made, the disciplinary authority has to consider the same on  
merits.

4. It is not the case of the applicant that the Disci-  
plinary authority has no power to initiate disciplinary  
proceedings against the applicant or that he has no power  
to appoint Inquiry Officer. In the absence of such infirmity  
the Court/Tribunal will not interfere at the middle of the  
inquiry.

5. Thus, there are no grounds for interfering with the  
inquiry report at this stage and as already observed, it is

22/10/93

22

for the Disciplinary authority to consider all the objections raised against the said Inquiry report and also with the request in regard to reopening of the inquiry.

6. Hence, this OA is dismissed at the admission stage. But the Disciplinary authority had to consider the objections and requests referred to without being influenced by the dismissal of this OA. No costs.

P. J. 26

(P.T. Thiruvengadam)  
Member(Admn)

*V. Neeladri Rao*  
(V. Neeladri Rao)  
Vice Chairman

Dated : October 4, 93  
Dictated in the Open Court

*[Signature]*  
Deputy Registrar

sk

To

1. The Flag Officer, Commanding-in-Chief, Eastern Naval Command, visakhapatnam.
2. The Deputy General Manager(Personnel), Eastern Naval Command, visakhapatnam.
3. The Chief StaffOfficer (Personnel & Admn.) HQ Eastern Naval Command, visakhapatnam.
4. One copy to Mr.M.v.K.Viswanadham, Advocate, "Sindhu" 8-3-678/69, Pragathi Nagar, Yousufguda, Hyd-45.
5. One copy to Mr.N.v.Ramana, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO  
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHY : MEMBER (A)

AND

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

AND

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

Dated: 4 - 10 - 1993

ORDER/JUDGMENT:

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

in

O.A.No. 1239/93

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

Admitted and Interim directions  
issued

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered.

No order as to costs.

pvm

