

28

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1043 of 1993 AND
ORIGINAL APPLICATION NO.1044 of 1993

DATE OF JUDGMENT: 1st September, 1993

BETWEEN:

Mr. Ch. Subba Reddy ...
Mr. M. Ch. Obula Reddy ...
AND ...

Applicant in OA 1043/93
Applicant in OA 1044/93

Telecommunications,
Peddapally-505172.

2. The Telecom District Engineer,
Karimnagar-505050.

3. Union of India represented by
the Chairman,
Telecom Commission,
P. D. H. 110001

HEARD:

COUNSEL FOR THE APPLICANT: Mr. C.Suryanarayana, Advocate
in the Case.

COUNSEL FOR THE RESPONDENTS: Mr. NV Raghava Reddy, Addl.CGSC
in both the cases.

CORAM:

HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN

HON'BLE SHRI P.T. THIRUVENGADAM, MEMBER (ADMN.)

JUDGMENT

(As per Hon'ble Shri Justice V.Neeladri Rao, Vice Chairman)

The two applicants who were the casual labours were served with the orders of removal from service with effect from 3.8.1993 and 6.8.1993 respectively as per the impugned orders served to them on 3.8.1993 and 6.8.1993 respectively after the inquiry. The two applicants participated in those inquiries and the 1st respondent in the respective cases figured as

contd...

29

.. 2 ..

2. The two main contentions for the applicants are that

(i) the principles of nature justice are not followed in not furnishing the copy of the inquiry officer's report before the impugned orders are passed; and (ii) the 1st respondent who passed the orders figured as witness.

3. The two cases are squarely covered by the Judgment

dated 26.8.1993 in OA 988/93 and batch on the file of this at the admission Bench. For the reasons stated therein, we allow these OAs/sta

by setting aside the impugned orders and by directing the 2nd respondent to appoint another disciplinary authority who

is of the rank equal to or above the 1st respondent, if it

is intended to proceed further with the inquiries and in such ^{for disciplinary authority} case

the copy of the inquiry officer's report by informing the applicants that if they intend to challenge the findings therein, they have to submit their objections within the time stipulated. NO CUSTOS.

(Dictated in the open Court).

P. J. *[Signature]*

(P.T. THIRUVENGADAM)
MEMBER (ADMN.)

[Signature]
(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 1st SEPTEMBER, 1993.

[Signature]
Deputy Registrar (J)

To

1. The Sub Divisional Officer, Telecommunications, vsn Peddapally-172.
2. The Telecom District Engineer, Karimnagar-050.
3. The Chairman, Union of India, Telecom Commission, New Delhi-1.
4. ~~Two~~ copy to Mr.C.Suryanarayana, Advocate, CAT Hyd.
5. One copy to Mr.N.v.Raghava Reddy, Addl. OGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.

pvm

[Signature]
21/9/93

cc today
TYPED BY

Malas'
COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

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

AND

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

AND

THE HON'BLE MR.D.M.MITRAJITRAO DAMAN / 1

Dated: 1 - 9 - 1993

ORDER/JUDGMENT:

M.A/R.A/C.A.N.

O.A.No. 1043 & 1044/93.

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

Admitted and Interim directions
issued.

Allowed

~~Opposed with directions~~

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

