

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 .. Applicant in OA 1043/93
Mr. M.Ch.Obula Reddy .. Applicant in OA 1044/93
AND

Telecommunications,
Peddapally-505172.

2. The Telecom District Engineer,
Karimnagar-505050.

3. Union of India represented by
the Chairman,
Telecom Commission,
New Delhi-110001

Respondents

HEARD:

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

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...

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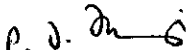
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2. The two main contentions for the applicants are that

(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 Bench. For the reasons stated therein, we allow these OAs ^{at the admission} ~~sta~~ by setting aside the impugned orders and by directing the 2nd respondent to appoint ^{for disciplinary authority} 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 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 COSTS.

(Dictated in the open Court).

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


(V.NEELADRI RAO)
VICE CHAIRMAN

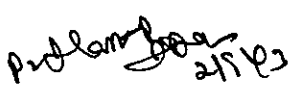
DATED: 1st SEPTEMBER, 1993.


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~~ copies to Mr.C.Suryanarayana, Advocate, CAT Hyd.
5. One copy to Mr.N.v.Raghava Reddy, Addl.CGSC.CAT.Hyd.
7. One copy to Library, CAT.Hyd.

pvm


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cc today
2/9/93

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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. S. SURESHCHANDRAM (A)

Dated: 1 - 9 - 1993

~~ORDER~~ JUDGMENT:

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

O.A.No.

1043 & 1044/93.

T.A.No.

(W.P.)

Admitted and Interim directions
issued.

Allowed

~~Dismissed~~ or with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

Rejected/Ordered

No order as to costs.

Central Administrative Tribunal

DESPATCH

3 SEP 1993

HYDERABAD BENCH.

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