

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No. 1506/93

Date of Order: 1.1.97

BETWEEN:

M.Simon Rao

.. Applicant.

AND

1. The Director, Central Tobacco Research Institute (Indian Council of Agrl. Research), Rajahmundry.
2. Senior Administrative Officer, Central Tobacco Research Institute, (Indian Council of Agrl. Research), Rajahmundry.
3. Head Division of Chemistry, Central Tobacco Research Institute (Indian Council of Agrl. Research), Rajahmundry.

.. Respondents.

Counsel for the Applicant

.. Mr.M.Rajamella Reddy

Counsel for the Respondents

.. Mr.V.Bhimanna

CORAM:

HON'BLE SHRI B.S. JAI PARAMESHWAL : MEMBER (ADMIN.)

HON'BLE SHRI B.S. JAI PARAMESHWAL : MEMBER (JUDL.)

{ Oral order as per Hon'ble Shri B.S. Jai Parameshwar, M(J) }

Heard Mr.M.Rajamella Reddy, learned counsel for the applicant and Mr.V.Bhimanna, learned standing counsel for the respondents.

CTRI, Rajahmundry was served with a charge memo dt. 5.9.92.

In that charge memo he was charged to have submitted an AILTC claim on 8.10.91 in respect of himself and <sup>his</sup> members of his family for a period from 20.8.91 to 20.8.92. Ticket numbers.

.. 2 ..


2. With respect to the said charge an enquiry was conducted by the Inquiry Authority. The Director and Disciplinary authority by his order dt. 3.9.93 accepted the findings of the Inquiry authority and imposed the penalty of withholding increment for a period of 2 years from 1.1.94 to 31.12.94 without cumulative effect.

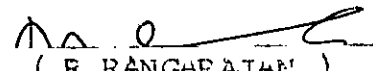
3. It is this order that has been challenged by the applicant in this OA.

4. The respondents have filed counter to this OA stating that as per the CCS (CCA) Rules a government servant has an opportunity to prefer an appeal against any order given by the disciplinary authority to the next higher authority and that the applicant has not exhausted the said remedy and therefore the present OA is premature.

5. The learned counsel for the applicant conceded that an opportunity for preferring an appeal against the order imposed the penalty dt. 3.9.93 is available to the applicant. Hence we feel it proper to direct the applicant to prefer an appeal to the appellate authority ~~within 30 days~~ on or before 28.2.97. In case the applicant preferred an appeal before the said date the competent authority shall consider the same on merits waiving the period for filing an appeal, if any.

6. The OA is ordered accordingly. No costs.

  
( B.S. JAI PARAMESHWAR )  
Member (Judl.)

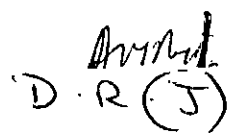
  
( R. RANGARAJAN )  
Member (Admn.)

1.1.97

Dated: 1st January, 1997

(Dictated in Open Court)

sd

  
D. R. (J)

8/24/1/97

TYPED BY  
COMPILED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:  
M(J)

DATED:

1.1.97

ORDER/JUDGEMENT

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

B.A.No. 1506/93<sup>in</sup>

ADMITTED AND INTERIM DIRECTIONS ISSUED  
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/NOTED

NO ORDER AS TO COSTS.

II COURT

