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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

DA No.17/93.

Dt. of Order:6-4-93.

Smt. Nanda Savitri

Vs.

...Applicant

1. The Admiral Superintendent,  
Naval Dock Yard, Visakhapatnam.
2. The Flag Officer, Commanding  
in Chief, Eastern Naval Command,  
Visakhapatnam.

...Respondents

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Counsel for the Applicant : Shri K. Vinaya Kumar

Counsel for the Respondents : Shri N.R. Devraj, Sr. CGSC

CORAM:

THE HON'BLE JUSTICE SHRI V. NEELADRI RAO : VICE-CHAIRMAN

THE HON'BLE SHRI R. BALASUBRAMANIAN : MEMBER (A)

(Order of the Division Bench passed by  
Hon'ble Justice Shri V.N.Rao, V.C.)

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The applicant is working as U.D.C. at Naval Dock  
Yard, Visakhapatnam. She was placed under suspension on  
27-11-91 on the ground of conviction in C.C.No.101/89 on  
the file of 8th Metropolitan Magistrate, Visakhapatnam.  
She preferred C.A.No.59/91 on the file of Additional Metro-  
politan Sessions, Visakhapatnam. On 23-11-92 the first  
Respondent passed the impugned order #. No.PES/7401/NS/UDC  
whereby the period of suspension was continued until further  
orders.

2. This application was filed challenging that part  
of the order dt.23-11-92 whereby the suspension was conti-

To

1. The Admiral Superintendent, Naval Dock Yard, Visakhapatnam.
2. The Flag Officer, Commanding in Chief, Eastern Naval Command, Visakhapatnam.
3. One copy to Mr.K.Vinaya Kumar, Advocate Advocates Association, High Court of A.P.Hyderabad.
4. One copy to Mr.N.R.Devraj, Sr.CGSC.CAT.Hyd.
5. One spare copy.
6. One copy to Library, CAT.Hyd.

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(Att) (9)

nued and for a direction to the Respondents to reinstate the applicant with all backwages.

3. It was submitted for the Respondents that as a decision was taken to prefer an appeal, the suspension was continued. It may be noted that the applicant was placed under suspension inview of the order of conviction passed by the learned Magistrate. When once the order of conviction is set aside by the appellate court, there should be compelling reasons for continuing the suspension. But the impugned order doesnot spell out such compelling reasons. Hence in these circumstances we feel that there are no grounds to continue the suspension after the order of conviction is set aside.

4. Hence it would be just and proper to revoke the order of suspension with effect from 20-4-93 (two weeks time given to the Respondents to take necessary steps) and to direct the Respondents to reinstate the applicant into service. Accordingly we direct the Respondents to reinstate the applicant into service from 20-4-1993. It is needless to say that this order doesnot debar the Respondents from proceeding with the departmental enquiry inaccordance with the rules, if they are so advised. The O.A. is allowed accordingly. No costs.

Xmas  
(V.NEELADRI RAO)  
Vice-Chairman

R.BALASUBRAMANIAN  
Member (A)

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Dated:6th April, 1993.  
Dictated in Open Court

Deputy Registrar  
S. M. J. 1993

(11)

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY  
(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

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

AND

THE HON'BLE MR.R.BALASUBRAMANIAN :  
MEMBER(ADMN)

AND

THE HON'BLE MR.T.CHANDRASEKHAR  
REDDY : MEMBER(JU11)

DATED: 6 - 4 - 1993

ORDER/JUDGMENT

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

in

O.A.No. 17193

T.A.No.

(W.P.NO

Admitted and Interim directions  
issued.

Allowed.

Disposed of with directions  
Dismissed as withdrawn.

Dismissed

Dismissed for default.

Ordered/Rejected.

No order as to costs.

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