

(Cee)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA.281/93

date of decision : 30-7-93

Between

Shaik Mahboob

: Applicant

and

1. General Manager
SC Railway
Secunderabad

2. The Chief Personnel Officer
South Central Railway
Secunderabad

3. Divisional Railway Manager
SC Railway, Secunderabad

4. The Sr. Divl. Personnel Officer
SC Railway, Guntakal Divn.
Guntakal

: Respondents

Counsel for the applicant

: S. Ramakrishna Rao
Advocate

Counsel for the respondents

: J.R. Gopala Rao, SC for
Railways

CORAM :

HON. MR. A.B. GORTHI, MEMBER (ADMINISTRATION)

Order

None for the applicant, Mr. J.R. Gopal Rao for the
Railways is present and heard.

2. In this case, the applicant who joined the Railways
in 1961 was removed from service vide memo dated 5-7-1983.
On appeal for mercy, he was taken back on duty on 4-11-1983.
... the impression that the break in
service was condoned. He asked for voluntary retirement,

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which was accepted w.e.f. 31-3-1992. The respondents have denied applicant of the pensionary benefits on the ground that his services would reckon only from 1983 to 1992.

3. The applicant was a Fitter Gr.III at the time of his removal. It is not clear whether his reinduction into service is by way of ^{reduction of penalty} ~~reinduction~~ or as a fresh appointment. Whether the appellate authority had the power to give a fresh appointment in the post of Fitter Gr.III without the intervention of RSC is also not clear. It is also seen that the applicant was promoted as Fitter Grade II w.e.f. 10-2-1988. In so promoting him it may be that his past service was taken into account. These are some of the important matters which need proper clarification from the respondents.

4. On the request of Mr. J.R. Gopal Rao, four weeks additional time is given to file a counter affidavit in which it is expected that the respondents would clarify the above issues.

(A.B. Gorthi)
Member (Admn.)

Dated : July 30, 93
Dictated in the Open Court

Deputy Registrar

To

1. The General Manager, S.C.Rly, Secunderabad.
2. The Chief Personnel Officer, S.C.Rly, Secunderabad.
3. The Divisional Railway Manager, S.C.Rly, Secunderabad.
4. The Sr. Divisional Personnel Officer,
5. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
6. One copy to Mr.J.R.Gopal Rao, SC for Rlys. CAT.Hyd.
7. One spare copy.

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2nd copy
pse
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COMPALED BY

CHECKED BY

APPROVED BY

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

MEMBER, BEDDY

AND

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

Dated: 30-7 -1993

ORDER/JUDGMENT:

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

in

O.A.No.

28/193.

~~Admitted~~ and Interim directions
issued.

Allowed

Disposed of with directions

Dismissed

Dismissed as withdrawn

Dismissed for default.

No order as to costs.

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