

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH: AT
HYDERABAD.

C.A.NO. 358/93.

DATE OF JUDGMENT: 18-07-95.

BETWEEN:

J.P. Munindra Nath

.. Applicant.

AND

1. The Superintendent of Post Offices,
Mahaboobnagar.
2. Asst. Superintendent of Post Offices,
Gadwal Sub-Divn. Gadwal.

.. Respondents.

COUNSEL FOR THE APPLICANT: SHRI S. Remakrishna Rao

COUNSEL FOR THE RESPONDENTS: SHRI N.V.Raghava Reddy,
~~SK~~/Addl.CGSC.

CORAM:

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

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

O.A.NO.358/93.

JUDGMENT

Dt: 18.7.95

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri S.Ramakrishna Rao, learned counsel for the applicant and Shri N.V.Raghava Reddy, learned standing counsel for the respondents.

2. This OA was disposed of by the order dated 22.6.1995. But the said judgment requires review, in view of the judgment of the Full Bench, Central Administrative Tribunal, Calcutta ^{(vide 1994(2) ATC 456)}. As such, Paras 6 and 7 of the order are deleted and they are substituted by the following: *by way of suo motu review.*

"Para-6: But ~~the~~ full Bench of C.A.T. held in 1994(27) ATC 456 (CAT) (Cal) (Surendra Nath Bera Vs. Union of India) that even if the ED Agent is exonerated/ acquitted in criminal case, he is not entitled to the allowances for the period of put off duty. But as the Judgment of the Bangalore Bench is suspended by the Apex Court in Civil Appeal Nos.4917 to 4927/1990, it is ordered that even inspite of the dismissal of this OA, the applicant will be entitled to the benefit of the judgment in the Civil Appeals referred to above, if it is going to be decided in favour of the ED Agents.

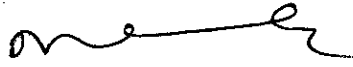
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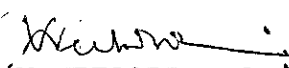
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.. 3 ..

Para-7: In the result, this OA is ordered
as under:-

This OA is dismissed. But in case the Civil
Appeal Nos.4917 to 4927/90 are going to be disposed of
in favour of the ED Agents, the applicant herein is
entitled to the benefit of the same for the period
from 27.2.1990 to 31.10.1990.// ~~No costs.~~


(R.RANGARAJAN)
MEMBER (ADMN.)


(V.NEELADRI RAO)
VICE CHAIRMAN

DATED: 18th July, 1995.
Open court dictation.


Deputy Registrar(J)CC

vsn

To

1. The Superintendent of Post Offices,
Mahaboobnagar.
2. The Asst.Superintendent of Post Offices,
Gadwal Sub Division, Gadwal.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT.Hyd.
4. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC.CAT.Hyd.
5. One copy to Library CAT.Hyd.
6. One spare copy.

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THPED BY CHECKED BY
COMPARED BY APPROVED BY
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

A N D

THE HON'BLE MR. R. RANGARAJAN: (M(ADMN))

DATED 18/7 1995.

ORDER/JUDGMENT:

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

OA.No. in
 358/93

TA.No. (W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No. order as to costs.

No spare copy

