

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

92
D.A. 859/94. Dt. of Decision : 29-8-94.

Smt. Vijaya Kumari

.. Applicant.

Vs

1. Air Vice-Marshal, Commandant,
Air Force Academy,
Hyderabad - 43.
2. Commanding Officer
Group Captain,
14, Air Force Hospital,
Hyderabad - 43.
3. Air Officer Commanding in Chief,
Head Quarters: Training Command,
IAF, Bangalore. .. Respondents.

Counsel for the Applicant : Mr. J.M.Naidu

Counsel for the Respondents: Mr. N.R.Devaraj, Sr.CGSC.

CORAM:

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

THE HON'BLE SHRI M.B. GORTHI : MEMBER (ADMN.)

ORDER

(As per Hon. Mr. Justice V. Neeladri Rao, VC)

Heard Sri J.M. Naidu, learned counsel for the applicant and Sri N.R. Devaraj, learned counsel for the respondents.

2. The charge memo dated 24-6-94 was issued by R-1 i.e. Air Vice-Marshal Commandant, Air Force Academy, Hyderabad. One of the contentions raised for the applicant is that R-1 is not competent to issue the impugned charge memo to her.

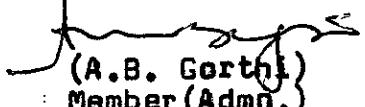
3. The applicant is working in the 14 Air Force Hospital, Hyderabad, Commanded by Group Captain i.e. R-2. The schedule of powers in regard to units other than Air Headquarters and Commanding Headquarters in regard to Group C and D posts is as under :

'The authority competent to impose penalties and the same penalties it may impose with reference to item No. in rule 11 I.i. Air Officer Commanding/Officer Commanding and in case of Lodger Unit ADC/OC of the Controlling Stations'.

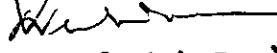
4. In order to advert to the contentions for the applicant as referred to, it is necessary to decide as to whether the hospital in which the applicant is working is lodger unit and thus an independent unit or an integral part of Air Force Academy at Hyderabad. Hence, R-1 is required to depute on 14th September, 1994, an officer who is conversant with the same to assist this Bench in deciding the same. If it is necessary, R-1



R-11 may procure the presence of an officer of
Judge Advocate General Department for this purpose.



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



(V. Neeladri Rao)
Vice Chairman

Dated : August 29, 94
Dictated in Open Court

Prathvi 30-8-94
Dy. Registrar (Judl)

sk

Copy to:-

1. Air Vice-Marshal, Commandant, Air Force Academy, Hyderabad - 43.
2. Commanding Officer Group Captain, 14, Air Force Hospital, Hyderabad-43.
3. Air Officer Commanding in Chief, Head Quarters: Training Command, I.A.F. Bangalore.
4. One copy to Mr. J. M. Naidu, Advocate, CAT, Hyderabad.
5. One copy to Mr. N. R. Devaraj, Sr. CGSC.
6. One spare.

kku.



29/8/94
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M. N. G. S. 109/94

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

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

AND

A. B. Gorla
THE HON'BLE MR. R. RANGARAJAN : M(ADAN)

DATEL.

29-8-94

ORDER / JUDGMENT

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

O.A. No. 109/94

T.I.A. No.

(W.P. No.)

~~A~~mitted and Interim directions
Issued.

~~allowe~~ allowed.

~~disposed of with directions.~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for Default.~~

~~Ordered/Rejected~~

~~No order as to costs.~~

pvm

