

(13)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O. A. No. 996/94.

Dt. of Decision : 12-8-1994.

1. Sriramulu
2. Chouse Mohd. Khan
3. A.S.R. Prasad

.. Applicants.

Vs

Sub-Divisional Engineer
(Electrial and Building)
Office of Assistant Engineer,
Telephone Bhavan, Saifabad,
Hyderabad.

.. Respondent.

Counsel for the Applicants : Mr. S.Lakshma Reddy

Counsel for the Respondents : Mr. N.V.Raghava Reddy, Addl.CGSC.

CORAM :

THE HON'BLE SHRI JUSTICE V.NEELADRI RAO : VICE CHAIRMAN
THE HON'BLE SHRI A.B. GORTHY : MEMBER (ADMN.)

14
OA.996/94

Judgement

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

Head Sri S. Lakshma Reddy, learned counsel for the applicants and ~~Sri N.V. Raghava Reddy, learned SC~~ for the respondents.

2. All the three applicants were suspended by orders dated 27-6-1994 pending investigation of an offence for theft of Telephone cable wires from the Telephone Bhavan. All the three are working as gate-men of the said Telephone Bhavan. On the basis of the news item in the Eenadu, dated 23-6-1994 which is to the effect that the applicants 1 and 2 were caught red-handed with the stolen property while the third applicant escaped and then applicants 1 and 2 were produced before the Court and they were remanded for judicial custody. ^{notice 3} ~~Notice~~ dated 25-6-1994 were given to the applicants ^{and 2} calling for their statements if any in regard to the said news item. It is stated that even the third applicant was suspended on 23-6-1994 and he too was produced before the court and remanded for judicial custody. He was also directed to give his statement in regard to the above news item by notice dated 25-6-1994. It is stated that all the three applicants were released on bail.//
The applicants were suspended by orders dated 27-6-1994 pending investigation of the criminal cases referred to

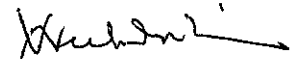
15

above. The orders suspending the applicants are challenged in this DA.

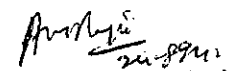
3. The only contention that is urged for the applicants is that they were suspended by the concerned authority even without applying their mind in regard to the alleged facts. But it had to be noted that the applicants were suspended only after the statements were called for in pursuance of the news item in the ~~news item~~, ~~the~~ applicants that the concerned authority passed orders of suspension without application of his mind is not tenable. As such this DA does not merit consideration. It is needless to say that the applicants are entitled to subsistence allowance as per the rules.

4. In the result, the DA is dismissed at the admission stage. No costs./


(A.B. Gonthi)
Member (A)


(V. Neeladri Rao)
Vice Chairman

Dated : August 12, 1994
Dictated in Open Court


Deputy Registrar(J)

To

1. The Sub Divisional Engineer(Electrical and Building)
sk O/o Assistant Engineer, Telephone Bhavan,
Saifabad, Hyderabad.
2. One copy to Mr.S.Lakshma Reddy, Advocate, CAT.Hyd
3. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC.CAT.Hyd.
4. One copy to Library, CAT.Hyd.
5. One spare copy.

pvm

Typing

TYPED 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

AND

A. B. G. R. Th

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

DATE: 12-8-1994

~~ORDER~~/JUDGMENT

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

in

(T.A.No.

(W.P.NO

)

Admitted and Interim directions
Issued.

Allowed.

Disposed of with directions.

Dismissed *at the admission stage*

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected

No order as to costs.

pvm

