

(97)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH  
AT HYDERABAD.

..  
O.A.No.1298/94.  
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Date of decision: 1--8--1997.  
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Between:

Y. Rajasekhara Reddy.

.. Applicant.

and

The General Manager,  
Ordnance Factory Project,  
Yedumailaram, Medak.

.. Respondent.

Counsel for the applicant:

V. Jagapathi (not present)  
~~the respondent~~

Counsel for the respondents:

Sri N.R.Devaraj for respondents.

CORAM:

Hon'ble Sri R. Rangarajan, Member (A)

Hon'ble Sri B.S. JAI PARAMESHWAR, Member (J)

(per Hon'ble Sri B.S. Jai Parameswar, Member (J))  
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None for the applicant, though it is posted  
for dismissal today. The applicant was also not present

when the O.A., was taken up for hearing. Heard  
Sri N.R.Devaraj for respondents. Hence, we are ~~dismissing~~

~~of~~ the O.A., on the basis of the material available on  
record in accordance with Rule 15(1) of the Central  
Administrative Tribunals (Procedure) Rules, 1987.

The applicant herein while working as Supervisor  
was charged with a Memorandum of Charges  
dated 27--4--1993. The applicant denied the charges.  
A detailed enquiry was conducted into the charges on  
25--9--1993. The Enquiry Officer submitted his report

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(Annexure A-5). A copy of the report of the Enquiry Officer was furnished to the applicant. The applicant submitted his representation dated 15-11-1993 against the findings of the Enquiry Officer. The Disciplinary Authority by its order dated 30-11-1993 (Annexure A-6) considered<sup>ing</sup> the representation of the applicant and the Enquiry Report, and imposed punishment of withholding of the next increment for a period of one year with cumulative effect. Against the order of punishment, the applicant preferred an appeal on 6-3-1994 and before the Appellate Authority could decide the ~~applicant~~<sup>- Appeal -</sup>, the applicant filed this ..... 1994.


In page 4 of the counter it is stated that the order of the Appellate Authority rejecting the appeal


received on 13-2-1995. The order of the Appellate Authority has not been issued to the ..... he had filed the application by then, and because of the pendency of the O.A., the same was not issued.

The applicant without awaiting the decision of his appeal, he has approached this Tribunal. He should have approached this Tribunal only after exhausting all the remedies available to him. Even if the Disciplinary Authority's order is set aside, the Appellate Authority's order is yet to be disposed of as it <sup>is</sup> ~~was~~ not issued to the applicant because of the pendency of the O.A. We see that no useful purpose

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<sup>will</sup>  
~~would~~ be served when the appellate Order is not issued  
to the applicant. Hence the O.A., is dismissed.  
But this dismissal<sub>al</sub> will not stand in the way of the  
applicant to challenge both the Disciplinary as well  
as the Appellate Authority's orders as and when the  
Appellate Order is issued in accordance with law.  
No order as to costs.

  
B.S. JAI PARAMESHWAR  
MEMBER (J)  
1.8.97

  
R. RANGARAJAN,  
MEMBER (A)

-----  
Dictated in open Court.

N.  
D.R. (5)

11/8/97

(b)

TYPED BY  
COMPALED BY

CHECKED BY  
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M  
(J)

DATED: 1-8-97

ORDER/JUDGEMENT

N/A/C.A. NO.

in

D.A. NO. 1298/94

- Admitted and Interim directions Issued.
- Allowed
- Disposed of (with directions,
- Dismissed
- Dismissed as withdrawn
- Dismissed for default
- Ordered/Rejected.
- No order as to costs.

केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
दस्तावेज/DESPATCH  
11 AUG 1997  
हैदराबाद न्यायपीठ  
HYDERABAD BENCH  
11 COURT.

YLKR

C.O. II  
M.P. न्यायाधीश वरुणा  
कौन्सिल फॉर द मिनिस्टर्स  
अथवा कौन्सिल फॉर द मिनिस्टर्स  
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