

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA:1533/94

decided on : 19-12-94

Between

D. Vasantha Rao

: Applicant

and

1. Sr. Divnl. Accounts Officer
SC Rly., Vijayawada

2. SC Rly., Rail Nilayam
Secunderabad

: Respondents

Counsel for the applicant

B. Narasimha Sarma
Advocate

Counsel for the respondents

SC for Railways

CORAM

HON. MR. JUSTICE V. NEELADRI RAO, VICE CHAIRMAN

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

JUDGMENT

1. as per Hon'ble Sri R.Rangarajan, Member(Administrative)

Heard Sri B.Narasimha Sarma, learned counsel for the applicant and Sri D.Francis Paul, learned Standing Counsel for the respondents.

2. This OA was filed for the following reliefs:

(a) declare the impugned proceedings Office Order No.59/1994 dt. 3.10.1994 issued by 1st respondent in so far as applicant is concerned as arbitrary, illegal and without jurisdiction.

(b) direct the respondents to continue the applicant in the payscale of Rs.1750/- i.e. prior to issue of impugned proceedings Office Order No. 59/1994, dt. 3.10.1994 with all consequential benefits including seniority and other benefits.

3. OA No.1441/94 was filed for similar relief by 6 applicants in that OA was decided on 28.11.1994. The prayer in this OA is squarely covered by the decision of this Tribunal in OA 1441/94. Hence, we see no reason to differ from the judgment given in that OA.

4. In view of the pleadings and material on record, we feel it is just and proper to dispose of this OA by the following order:-

R-1 has to dispose of the representation of the applicant dt. 2.12.1994 (Annexure-II) and also those objections raised in this OA by treating the same as continuation of the above representation as against the impugned order dt. 3.10.1994 in accordance with law. If the applicant is going

to be aggrieved by the order to be passed by R-1 on consideration of the said representation he is free to move this Tribunal by way of application under sec.19 of the Administrative Tribunals Act. The impugned order dt. 3.10.1994 is suspended till one week after the date of communication of the order that is going to be passed by R-1 on consideration of the above representation of the applicant. Of-course, if the order that will be passed by R-1 will be in favour of the applicant, the suspension can be treated as suspension till the date of order that is going to be passed by R-1.

5. The OA is ordered accordingly at the admission stage itself.

(R.Rangarajan)
Member (Admn.)

(V.Neeladri Rao)
Vice-Chairman

Dated 19th December, 1994.

Grh.

Deputy Registrar (J)CC

To

1. The Sr.Divisional Accounts Officer
S.C.Rly, Vijayawada.
2. The General Manager, S.C.Rly,
Railnilayam, Secunderabad.
3. One copy to Mr.B.Narasimha Sarma, Advocate, CAT.Hyd.
4. One copy to Mr.D.Francis Paul, SC for Rlys. CAT.Hyd.
5. One copy to Library CAT.Hyd.
6. One spare copy.

nvm

12
S. Rangarajan

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

DATED: 19-12-1994

ORDER/JUDGEMTN:

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

in

O.A.No. 1533/94

T.A.No. (w.p.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions of the
Dismissed. *admission stage*

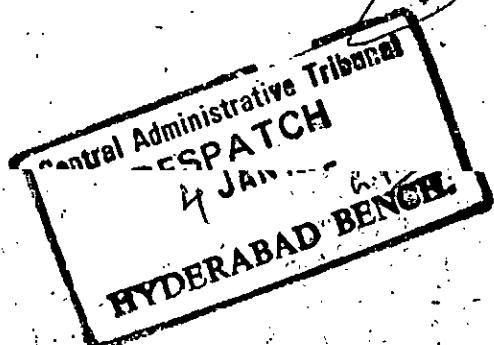
Dismissed for default.

Ordered/Rejected

No order as to costs.

NO SPARE COPY

23/12/94



DVM