

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No.1593/94

Date of Order: 1.8.97

BETWEEN:

K.Chandra Sekhara Setty

.. Applicant.

AND

1. Director, Intelligence Bureau H.Os.,
Ministry of Home Affairs, Central
Secretariat, North Block, New Delhi.
2. Joint Director, Subsidiary Intelligence
Bureau, Ministry of Home Affairs, Govt.
of India, 5-9-13, Taramandal Complex,
Seventh Floor, Saifabad, Hyderabad.
3. Secretary, Ministry of Home Affairs,
Govt. of India, Central Secretariat,
North Block, New Delhi.



.. Respondents.

Counsel for the Applicant

.. Mr.S.RamakrishnaR.

Counsel for the Respondents

.. Mr.N.R.Devraj

CORAM:

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

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

O R D E R

X Oral order as per Hon'ble Shri B.S. Jai Parameshwar, M(J) X

None appeared for the applicant. Mr.N.R.Devraj,
learned standing counsel for the respondents present.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

M.A.NO.218 of 1995 in O.A.1593 of 1994.

Between

Dated: 9.3.1995.

K.Chandra Sekhara Setty

...

Applicant

And

1. Director, Intelligence Bureau, Hqrs, Ministry of Home Affairs-
Central Secretariat North Block, New Delhi.
2. Joint Director, Subsidiary Intelligence Bureau, Ministry of
Home Affairs, Govt. of India, 5-9-13, Tara Mandal Complex,
7th floor, Saifabad, Hyd.
3. Secretary, Ministry of Home Affairs, Govt. of India, Central
Secretariat, North Block, New Delhi.

Counsel for the Applicant

: Sri. S.Rama krishna Rao

Counsel for the Respondents

: Sri. N.R.Devaraj, Sr. CGSC.

CORAM:

Hon'ble Mr. A.V.Haridasan, Judicial Member

Hon'ble Mr. A.B.Gorthi, Administrative Member

Contd:...2/-

Copy to:-

1. Director, Intelligence Bureau, Hqrs, Ministry of Home Affairs, Central Secretariat, North Block, New Delhi.
2. Joint Director, Subsidiary Intelligence Bureau, Ministry of Home Affairs, Govt. of India, 5-9-13, Tara Mandal Complex, 7th floor, Saifabad, Hyd.
3. Secretary, Ministry of Home Affairs, Govt. of India, Central Secretariat, North Block, New Delhi.
4. One copy to Sri. S.Rama krishna Rao, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, C T, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

M.A.No.218/95

in

O.A.No.1593/94

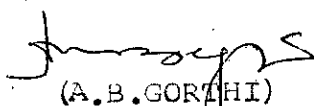
Date of Order: 9.3.95

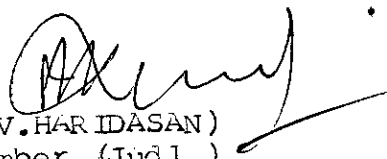
X As per Hon'ble Shri A.V.Haridasan, Member (Judl.) X

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The Original Application challenging the order dated 28.9.93 by which the penalty was imposed on the applicant, alleging that though the appeal was filed, the same remains undisposed off, was admitted on 2.1.95. The appellate authority has by its order dated 7.2.95 on the appeal submitted by the applicant passed an order remitting the case to the disciplinary authority for further action. Therefore, the applicant has filed this MA praying that the above order may be stayed and appropriate order may be passed since the order has been passed in violation of Rules.

2. We have heard learned counsel for both the parties Under Section 19(4) of the Administrative Tribunals Act when an application is admitted all proceedings relating to the ~~matter of the application pending with the departmental~~ authorities shall stand abated and no order in respect of the appeal or representation is to be passed by such authorities. Therefore the order dated 7.2.95 remitting the case back to the disciplinary authority passed after the application was admitted by the Bench is null and void in view of the Provisions contained in Section 19(4) of the Administrative Tribunals Act. Hence the order dt. 7.2.95 is declared as null and void and the respondents are directed not to take any action pursuant to that order. MA stands disposed of.

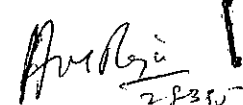

(A.B.GORTHI)
Member (Admn.)


(A.V.HARIDASAN)
Member (Judl.)

Dated: 9th March, 1995

(Dictated in Open Court)

sd


28350
Dy. Registrar (3)

contd. - 31/

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

THE HON'BLE SHRI A.V.HARIDASAN: MEMBER (J)

AND

THE HON'BLE SHRI A.B.GORTHY: MEMBER (..)

DATED

9.3.95

ORDER/JUDGMENT

M.A.NO/R.P.NO./C.P.NO.

218/95

in

O.A.NO.

1593/94

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn

Dismissed for default

Rejected/Ordered.

No order as to costs.

YLKR

