

ANNEXURE - I

List of papers in Original Application No.

OA. 175/94

Sl. No. of Papers	Date of Papers or Date of Filing	Description of Papers.
6		

Part - I

10-11-94

Original Judgement

O.A & Material Papers

Counter

Reply Counter

PART - I,

PART -- II,

PART --- III

Destroyed.

5/1/2000.

OA-175/94

DATE	OFFICE NOTE	ORDERS
21-4-94.	Counter built by Mr. N.R.Devaraj, Sr.Engineer on 21/4/94.	
10-11-94	<p>Shri K. Sudhakar Reddy</p> <p>Shri N.R. Devaraj, Sr.CGSC</p>	<p>O.A. dismissed vide orders on separate sheets. No costs</p> <p>H A B G M (A)</p>

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH

•.A. No. / T.A. No. 175 1994.

B. Togordi Woy Applicant(s)

VERSUS

Secretary, Min. of Respondent(s)

Defence. N. 05/94

Date	Office Note	Orders
15-2-94		Post it on 22-2-94
22-2-94	Notice sent to RRs 163 by RPAD R1-Sd R2-NENR R3-Sd An Sulqan	HRRN n(A) B/o DRS DRS 22-2-94 Admit HRRN : HVNRJ n(A) VC
23-2-94		
6-3-94	Before by legs (3) Notice has been duly served on the 2-2-94th Case may be deemed of to be ready for hearing 1/3-25-94 & Date 31 CAT, Ruler of Practice 93-499 up to the ready date	<u>.....</u>

by legs cc.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

O.A.No.175/94.

Date of Judgement : 10-11-94

B.Jagadishwar

.. Applicant

Vs.

1. Union of India,
Rep. by its Secretary,
Min. of Defence,
New Delhi.

2. The Scientific Adviser
to the Minister of Defence,
Development, Dte. of Personnel,
Min. of Defence,
New Delhi-II.

3. The Director, DMRL,
Defence Metallurgical
Research Lab.,
PO Kanchanbagh,
Hyderabad-258.

.. Respondents

Counsel for the Applicant :: Shri K.Sudhakar Reddy,

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

C O R A M

Hon'ble Shri A.B.Gorthi : Member(A)

J u d g e m e n t

X As per Hon'ble Shri A.B.Gorthi : Member(A) X

The relief claimed by the Applicant is for a direction to the Respondents to grant the Applicant his annual grade increments which fell due w.e.f. 1976.

2. The Applicant was placed under suspension on 4.8.76 and continues to be so. He has been granted subsistence allowance @ 75% of his pay. He claims that he should be granted annual increments as a matter of course and that withholding of such increments would amount to imposing a penalty on him even before the conclusion of disciplinary proceedings.

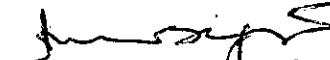
.....2

2. Similarly situated employees approached the Tribunal in O.A.No.1331/93 and batch cases. In the order dt.17.6.9. disposing of the said cases it was observed that payment of increments in respect of a suspended employee would stand postponed till the revocation of the suspension, when a decision would be taken whether or not to grant pay for the period of suspension. The batch cases were dismissed with the following order:-

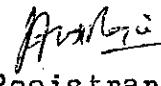
considered view that the applicants have not 'earned' their annual increments of pay during the period of suspension and hence it will not be proper to hold that such increments have been 'withheld' in their respect. The question of granting them pay and allowances including increments will, in any case, be considered by the competent authority at the time of conclusion of the disciplinary proceedings as per law."

4. In view of the above, this O.A. also deserves to be dismissed and it is accordingly dismissed.

5. No order as to costs.


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

Dated: 10 Nov., 1994.
Dictated in Open Court.
br.


15/11/94
Deputy Registrar (Judl.)

Copy to:-

1. Secretary, Ministry of Defence, Union of India, New Delhi.
2. The Scientific Adviser to the Minister of Defence, Director General Research & Development, Dte. of Personnel, Ministry of Defence, New Delhi-11.
3. The Director, DMRL, Defence Metallurgical Research Lab., PO Kanchanbagh, Hyderabad-258.
4. One copy to Sri. K.Sudhakar Reddy, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Library, CAT, Hyd.
7. One spare copy.

Rsm/-

OA-175/94

Typed by
Checked by

Compared by
Approved by

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

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

AND

THE HON'BLE MR.A.B.GORTHI : MEMBER (A)

Dated: 16/11/94

ORDER/JUDGMENT.

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

D.O.A.NO.

175/94

T.A. NO.

(W.P.NO. _____)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with Directions.

Dismissed.

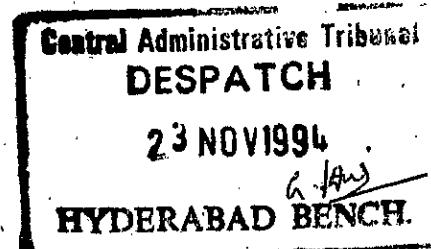
Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

YLKR



Sta