

30

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No. 184/94

Date of Order: 17.2.94

BETWEEN:

B.Suresh Kumar

.. Applicant.

A N D

1. Union of India, Rep. by  
The Secretary,  
Ministry of Defence,  
New Delhi.
2. The Scientific Adviser to the  
Ministry of Defence & Director  
General Research & Development,  
Ministry of Defence, DHQ PO  
New Delhi - 110 011.
3. The Director,  
Defence Metallurgical Research  
Laboratory (DMRL), Hyderabad-258. .. Respondents.

---

Counsel for the Applicant

.. Mr.K.Sudhakar Reddy

Counsel for the Respondents

.. Mr. V. BHIMANNA

---

CORAM:

HON'BLE Mr. JUSTICE V.NEELADRI RAO : VICE-CHAIRMAN

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

---

DRG  
2

To

1. The Secretary, Union of India,  
Ministry of Defence, New Delhi.
2. The Scientific Adviser to the Ministry of Defence  
and Director General Research & Development,  
Ministry of Defence, DHQ PO, New Delhi-11.
3. The Director, Defence Metallurgical Research  
Laboratory (DMRL), Hyderabad.
4. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT.Hyd.
5. One copy to Mr v.Bhimanna, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

pvm

302 huf  
P. 11/11/74  
7.374

O R D E R

[As per Hon'ble Shri Justice V. Neeladri Rao, Vice-Chairman]

This CA was filed <sup>for</sup> praying <sup>3</sup> to quash the charge memo<sup>ing them</sup> No. CF/1/6/1(MC) dated 29.4.1977 by holding ~~it~~ as illegal, arbitrary and void-ab-initio and also to quash the suspension order dated 2.8.76 by holding it as illegal, arbitrary and void-ab-initio and for a direction to the respondents to reinstate the applicant, with all consequential benefits such as treating the period from 2.8.76 to the date of reinstatement as period spent on duty and for payment of full pay and allowances and for accounting the said period for seniority and all other purposes.

2. The said charge memo<sup>was</sup> ~~were~~ challenged by the applicant in WP No.4812 of 1980 on the file of the High Court of AP and the same ~~was~~ transferred to this Tribunal and renumbered as TA 12/91. The said TA 12/91 was disposed of by this Bench vide Judgement dated 29.5.1992, directing the respondents to complete the remaining portion of the disciplinary case expeditiously. It is stated that even though a direction was given to the Disciplinary authority to dispose the matter expeditiously, it is not yet disposed of.

3. In such <sup>a</sup> cases, the remedy of the applicant is to file an application under Rule 27 of the CAT Procedures Rules for implementation of the said Judgement and it is not by way of filing a separate OAs under Section 19 of the Administrative Tribunals Act.

4. Hence, the OA is dismissed at the Admission stage.  
No costs.

(R. RANGARAJAN)  
MEMBER (ADMN.)

(V. NEELADRI RAO)  
Vice-Chairman.

Dated : The 17th February 94.  
(Dictated in Open Court)

Deputy Registrar (Jes)

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE JUSTICE V. NEELADRI RAO  
VICE-CHAIRMAN

AND

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

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY  
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : MEMBER  
(ADMN)

Dated: 17-2-1994.

ORDER/JUDGMENT:

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

in

O.A.No.

T.A.No.

186194

(W.P.No. )

Admitted and Interim Directions  
issued.

Allowed.

Disposed of with directions.

Dismissed. *Admission*

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

pvm

