

(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.)

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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. OGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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30/2/94
Par 11/3/94

O R D E R

(As per Hon'ble Shri Justice V.Neeladri Rao, Vice-Chairman)

This OA was filed praying to quash the charge memo 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 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 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 OA 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 (J)

TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
UNDER CHAIRMANSHIP AT HYDERABAD

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

AND

THE HON'BLE MR.A.B.GORTHI : 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.

184/94

T.A.No.

(W.P.No.)

Admitted and Interim Directions
issued.

Allowed.

Disposed of with directions.

~~Dismissed.~~ *Admissible*

Dismissed as withdrawn.

Dismissed for Default.

~~Rejected~~ Ordered.

No order as to costs.

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