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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : AT HYDERABAD.

\* \* \*

O.A. 422/94

Dt. of Decision : 15.4.1994.

L. ROOP SINGH

.. Applicant

Vs

1. Union of India, Rep. by  
The Secretary,  
Ministry of Defence,  
New Delhi - 11.
2. Scientific Adviser to the  
Ministry of Defence,  
Director General Research &  
Development Oagn,  
Ministry of Defence,  
DHQ PO NEW DELHI-110 011.
3. The Director,  
Labour Metallurgical Research  
Kanchanbagh (PO),  
Hyderabad - 500 258.

Counsel for the Applicant : Mr. K. Sudhakar Reddy  
Counsel for the Respondents : Mr. N.V. Ramana, Addl. C

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN  
THE HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.)

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18/10/94

O.A.No.422/94.

Date: 15.4.1994.

J U D G M E N T

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

Heard Sri K.Sudhakar Reddy, learned counsel for the applicant and Sri N.V.Ramana, learned Standing Counsel for respondents.

2. This OA was filed praying for quashing the Charge Memo dated 29th April, 1977 referred to in para-7(i) of the OA and the Suspension Order dt. 23.8.1976 and for reinstatement of the applicant with all consequential benefits and to direct the respondents to pay the full emoluments to the applicant from 23.8.1976 by treating the said period as on duty and to reckon the said period for the purpose of seniority and for all other purposes.

3. It is an unfortunate case where the applicant is under suspension since more than 17 years. There was no indication for not proceeding with the inquiry till the Supreme Court decided in December, 1990 in X 1990(2) JT SC 544 - Scientific Adviser to the Ministry of Defence Vs. S.Daniel X. But it is not known as to why the inquiry against the applicant in regard to the charges referred to could not be proceeded with even thereafter.

4. It is now stated in similar cases, the Division Bench of the High Court disposed of the Writ Appeal No.499/79 and Batch by the Judgment dt. 22.4.1980 by giving a direction to the respondents to complete the inquiry within two months from the date of receipt of the copy of the said Judgment and if the inquiry is not completed by that time, the suspension will stand revoked on the expiry of the said period of two months.

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22/10/94  
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Therein, it was also observed that if the delinquent employees therein fail to co-operate in completing the inquiry, the employer was free to proceed with the inquiry in accordance with the rules.

4. So, in the circumstances, it is just and proper to pass the following order in this OA:-

The inquiry against the applicant in regard to the charges mentioned in the Charge Memo referred to in para-7(i) of the O.A. has to be completed by 30.6.1994, failing which the suspension order dt. 23.8.1976 stands revoked on 1.7.1994. If the applicant fails to co-operate in the inquiry, the respondents are free to proceed with the inquiry in accordance with the rules.

5. The OA is ordered accordingly at the admission stage.  
No costs. \

( R.Rangarajan )  
Member(Admn.)

(V.Neeladri Rao )  
Vice Chairman

Dated 15 April, 1994.

Deputy Registrar(J)CC

To Grh.

1. The Secretary, Union of India,  
Ministry of Defence, New Delhi-11.
2. The Scientific Adviser to the Ministry of Defence,  
Director General Research & Development Orgn.,  
Ministry of Defence, DHQ PO, New Delhi-11.
3. The Director, Defence Metallurgical Research  
Laboratory, (DMRL), Kanchanbagn (PO) Hyderabad-258.
4. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT.Hyd.
5. One copy to Mr.N.v.Ramana, Addl.CGSC.CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.

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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. A. B. GORTHY : MEMBER (AD)

AND

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

AND

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

Dated: 15-4 -1994

ORDER/JUDGMENT

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

in

O.A.No.

422/94

T.A.No.

(w.p.)

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.

Central Administrative Tribunal  
DESPATCH

10 MAY 1994

HYDERABAD BENCH.