

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.599/95

DATE OF ORDER : 17-11-1997.

Between :-

Bhattu Babu Prasad

And

... Applicant

1. Superintending Engineer,
All India Radio, Vijayawada.

2. The Station Director,
All India Radio, Vijayawada.

... Respondents

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Counsel for the Applicant : Shri S.Ramakrishna Rao

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

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CORAM:

THE HON'BLE SHRI R.RANGARAJAN : MEMBER (A)

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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... 2.

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri S.Ramakrishna Rao, counsel for the applicant and Sri N.R.Devaraj, standing counsel for the respondents.

2. The applicant in this O.A. is the son of one late Bhattu Babu Rao, whose services were terminated on medical invalidation on 15-12-92. The applicant was appointed as Mali against a temporary post by memorandum No.1(4)93-S/906 dt.27-3-93. It is stated that the applicant had initially submitted that he studied up to 7th class. Subsequently it is learned ^{by} from the respondents that he had ^{only} studied up to 4th Class and hence he had given a false certificate ~~was submitted~~ while ~~was~~ joining the service as Mali on compassionate grounds. Hence one month notice was given by the impugned memorandum No.21(BBP)93-S/750 dt.24-4-95 for termination of his services.

3. This O.A. ^{is} filed to set aside the impugned memorandum No.21(BBP)93-S/750 dt.24-4-95 of respondent No.1 by declaring it as arbitrary, unwarranted, capricious and against the provisions of Articles of 14 and 16 of the Constitution and direct the Respondents to continue the applicant to work as Mali to which post he was appointed on compassionate grounds with all consequential benefits.

4. An interim order dt.16-5-95 was issued in this O.A., wherein it was directed that no one should be posted on regular basis in which the applicant ^{was} working.

5. Though Notice before admission was given on 7-5-95 no reply has been filed. Though the ^{learned} counsel for the respondents now

- 3 -

submits that notice was given for getting his explanation/

before using the
unassigned
the proceeding

same could not be taken on record in view of the absence of any reply in this connection.

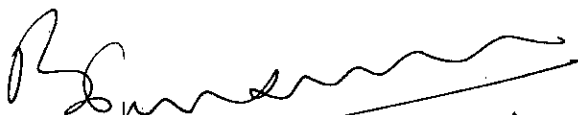
6. In view of the above, the following direction is given :-

If The applicant, if so advised, may now submit a detailed representation for reinstating him into service to Respondent No.1 within one month from the date of receipt of a copy of ~~a copy of~~ this order. If such a representation is received by Respondent No.1, the same should be disposed of within two months from the date of receipt of representation after examining the relevant records. Suitable reply should be issued to the applicant within that time by the appointing authority.

above

7. The O.A. is disposed of at the admission stage itself.

No order as to costs.



(B.S. JAI PARAMESHWAR)
Member (J)

17.11.97

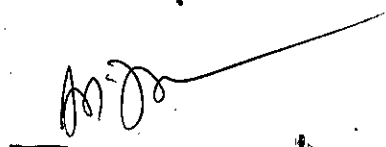


(R. RANGARAJAN)
Member (A)

Dated: 17th November, 1997.

Dictated in Open Court.

avl/


D.R.

OA.599/95

Copy to:-

1. The Superintending Engineer, All India Radio, Vijayawada.
2. The Station Director, All India Radio, Vijayawada.
3. One copy to Mr. S. Ramakrishna Rao, Advocate, CAT., Hyd.
4. One copy to Mr. N.R.DeVaraj, Sr.CGSC., CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One duplicate.

SIR

21/11/97

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN : M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M (J)

Dated: 17/11/97

~~ORDER/JUDGMENT~~

~~M.A./R.A./C.A. NO.~~

in
O.A. NO. 599/98

~~Admitted and Interim Directions
Issued.~~

~~Allowed~~

~~Disposed of with Directions~~

~~Dismissed~~

~~Dismissed as withdrawn~~

~~Dismissed for Default~~

~~Ordered/Rejected~~

~~No order as to costs.~~

YLKR

