

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.1257/95

dt. 3-3-98

Between

1. P. Sudhakar
2. P. Yadagiri
3. Y. Ramakrishnaiah
4. A. Prabhakara Rai
5. M. Balakrishnan
7. S. Ganapathi Rao
8. M. Satyanarayana
9. Ch. Ashok Kumar
10. Mohd. Zakiuddin Ali
11. MEVP Venkataratnam
12. TM Sivasankaran
13. K. Balraj
14. P. Vasantkumar
15. P. Vijayaraghavan
16. S. Ramakrishna
17. Mohd. Mastafa Ali
18. B. Narsinga Rao
19. M. Jayaramaiah
20. R. Rajalinga
21. P. Ram Reddy
22. Ch. Chandrashekhar
23. UAV Prasad
24. P. Saibaba
25. T. Munnaiah
26. R. Viswanathan
27. M.B. Pawar
28. A. Purushottam
29. P. Narayana
30. V.A. Khan
31. S. Malakondaiah
32. R.G. Rao

; Applicants

and

1. Union of India, rep. by its
Secretary, M/o Defence
Govt. of India, New Delhi
2. Scientific Advisor
Defence Research & Development Orgn.
New Delhi
3. Director
HEMRL Sutarvadi
Pune, Maharashtra
4. Officer-in-Charge
HEMRL, Detachment
Kanchanbagh
Hyderabad

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5. Asstt. Admn. Officer
Garrison Engineering Office
GE (P) (I) (R&D)
Chandrayanagutta
Keshavgiri post
Hyderabad

Respondents

Counsel for the applicants

: S. Lakshma "eddy
Advocate

Counsel for the respondents

: K. Bhaskar Rao
CGSC

Ceram

Hon. Mr. M.V. Haridasan, Vice Chairman, Ernakulam Bench

Hon. Mr. H. Rajendra Prasad, Member (Admn.)

OA.1257/95

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Order

Oral order (per Hon. Mr. A.V. Haridasan, Vice Chairman(EB))

This application filed by thirty two employees of HEMRL, Hyderabad, is directed against the order dated 28-8-1995 issued by Respondent-5 by which water charges and electricity charges payable by the ~~Memba~~ applicants has been unilaterally enhanced to Rs.4/1000 litres of water and Rs.2/unit as electricity charges. The applicants state that this unilateral increase is arbitrary, illegal, and violative of Articles 14, 16 21 and 300-A of the Constitution.

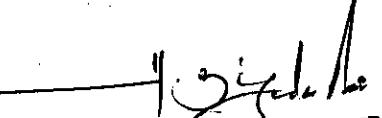
2. The respondents in their reply statement have resisted the application on various grounds. When the application came here today for final hearing learned counsel appearing for the applicants, Sri S. Lakshma Reddy says that when an identical case came up before the Principal Bench in a batch of original applications 112/95 etc. the Tribunal taking the view that the issue was not justiciable and that if the applicants were aggrieved by the enhancement could take up the matter before the appropriate authorities and dismissed the applications. He also invited our attention to the decision of this Bench in OA.1367/95 decided on 18-12-1997 dismissing the applications on the ground that the Tribunal lacked jurisdiction in the matter following the ruling of the Principal Bench of this Tribunal.

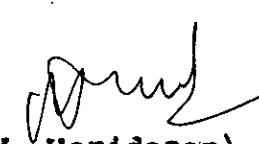
3. The learned counsel for the applicants stated that a similar view may be taken in this also and the application may be similarly disposed of.

4. Since the learned counsel for the applicants has stated that this OA may be disposed on the same way as OA.1367/95,

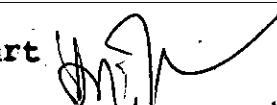
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we dismiss the application as OA.1367/95 was dismissed
leaving the parties to suffer their respective costs.


(H. Rajendra Prasad)
Member(Admn.)


(A.V. Haridasan)
Vice Chairman (EB)

Dated : March 3, 98
Dictated in Open Court


Deputy Registrar

sk

O.A. 1257/98

To

1. The Secretary, Union of India,
Ministry of Defence,
Govt. of India, New Delhi.
2. The Scientific Advisor Defence Research
and Development Organisation, New Delhi.
3. The Director, HEMRL Sutarvadi Pune,
Maharashtra.
4. The Officer-in-Charge, HEMRL, Detachment
Kanchanbagh, Hyderabad.
5. The Asst. Admn. Officer, Garrison Engineering
Office, GE(P)(I) (R&D) Chandrayanagutta
Keshavagiri post, Hyderabad.
6. One copy to Mr. S. Lakshma Reddy, Advocate, CAT. Hyd.
7. One copy to Mr. K. Bhaskar Rao, Addl. CGSC. CAT. Hyd.
8. One copy to DR(A) CAT. Hyd.
9. One spare copy.

pvm.

31/3/98

I Court

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COMPIRED BY

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE A V Hari Dason
VICE-CHAIRMAN (Chairman
AND Bench,

THE HON'BLE MR.H.RAJENDRA PRASAD:M(A)

DATED: 3-3-1998

ORDER/JUDGMENT:

M.A./K.A./C.A.No.

O.A.No. 1257/95 in

T.A.No.

(W.R)

Admitted and Interim directions
Issued.

Allowed

Disposed of with direction

Dismissed

Dismissed as withdrawn

Dismissed for Default.

Ordered/Rejected.

No order as to costs.

pvm.

