

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

R.A. 17/96 in
O.A.552/95.

Dt. of Decision : 17-4-97.

1. Govt. of India, Rep. by
its Chairman and Secretary,
Dept. of Space, ISRO Head
Quarters, New Bdl Road,
Bangalore-90.

2. The Director,
Master Control Facility,
[redacted]

Respondents.

Vs

P.Sreemannarayana Murty

.. Respondent &
Applicant.

Counsel for the applicants : Mr.V.Bhimanna, Addl.CGSC.

Counsel for the respondents : Mr.M.V.S.Sai Kumar.

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

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

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ORDER

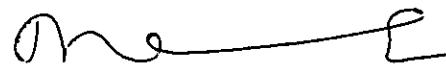
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ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

Heard Mr.V.Bhimanna, learned counsel for the applicants in the RA and Mrs.P.Anuradha for Mr.Sai Kumar, learned counsel for the respondents in the RA.

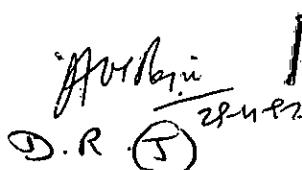
2. The respondents in the OA have filed this OA.
3. The OA was allowed as the charges for which his services were terminated were for alleged inefficiency in performing his duties. This would mean attaching some stigma to the applicant. In the OA it was held that the applicant cannot be terminated under Rule 5(1) of the Temporary Service Rules as a stigma has been attached to his termination and hence the termination can only be ordered after enquiry. It is admitted that the enquiry is not conducted. When the enquiry is not conducted the service of the applicant cannot be terminated. In view of the above there is no error in the findings that the applicant should be reinstated with consequential benefits as mentioned in the judgement dated 24-1-96.
4. In view of what is stated above, we do not find any error in this RA and hence the same is not maintainable. Hence, the RA is dismissed. No costs.


(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)
17.4.97


(R. RANGARAJAN)
MEMBER (ADMN.)

Dated : The 17th April 1997.
(DICTATED IN THE OPEN COURT)

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D.R. (T) 28482