

(14)
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
HYDERABAD

OA 128/93⁵ --

Dt. 13-3-95

Between

Khaja Bahauddin

Applicant

And

1. Sub-divl. Inspector (posts)
Mahabubabad, District Warangal
2. Superintendent of Post offices,
Warangal divn., Warangal

Respondents

Counsel for the Applicant : Shri S. Ramakrishna Rao

Counsel for the Respondents: Shri V. Bheemanna

Hon'ble Shri V. Neeladri Rao, Vice-Chairman
Hon'ble Shri R. Rangarajan, Member (Admn.)

(16)

{ AS PER HON'BLE JUSTICE SHRI V. NEELADRI RAO,
VICE-CHAIRMAN }

Heard Shri S. Ramakrishna Rao, learned counsel for the applicant and also Shri N.V. Raghava Reddy, learned counsel for the Respondents.

2. The applicant was suspended by the impugned order dated 9-11-94 passed by R1. In para 1 of the said order it is stated as under:-

"whereas a case against Shri Mohd. Khaza Bahauddin, Postman, Dornakal S.O in respect of a criminal case....."

3. The Postman referred to therein is the applicant. *for offence*
complaint was registered under Section 498 A of the I.P.C.

4. On 8-2-95 we directed Respondent 1 by way of Interim order to reinstate the applicant.

It is submitted that in pursuance of the said Interim order, the applicant was reinstated. It will not be known as to when the criminal case referred to against the applicant will be disposed of.

be stated as to whether it will ultimately end in acquittal or conviction. Further if it is going

to end in conviction, it cannot now be stated as to whether the disciplinary authority will proceed

on the basis of the said conviction. Hence it is

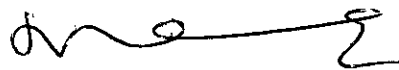
just and proper to dispose this OA by the following

order.// The order dated 9-11-94 suspending the applicant stands revoked on the date on which the applicant is

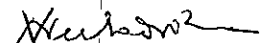
reinstated by the order dated 8-3-95 in this OA. The period from 9-11-94 till the date of reinstatement

has to be treated as duty if it ultimately ends

in acquittal in regard to the offence for which the impugned order of suspension was issued or the disciplinary authority decides that it is not a case where action can be taken on the basis of conviction if the applicant is going to be convicted. But if ultimately the applicant is going to be convicted and if the disciplinary authority intends to take action under Section 19 of C.C.S. C.C.A. Rules on the basis of the said conviction and if punishment is going to be ordered in the said proceedings, it is for the disciplinary authority to decide as to how the period from 9-11-94 till the date of reinstatement has to be treated. The O.A is ordered accordingly at the admission stage itself. No costs./



(R. RANGARAJAN)
Member (Admn.)



(V. NEELADRI RAO)
Vice-Chairman

Dated the 13-3-95
Open court dictation

NS



Dy.Registrar(Judl)

Copy to:-

1. Sub-Divisional Inspector (Posts),
Mahabubad, District Warangal, A.P.
2. Superintendent of Post Offices,
Warangal Division, Warangal, A.P.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT, Hyd.
4. One copy to Mr.V.Bheemanna, Addl.CGSC.CAT.Hyd.
5. One copy to Library, CAT, Hyd.
6. One spare copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

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

AND

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

DATED 13-3-1995.

ORDER/JUDGMENT:

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

O.A.No. 128/95

T.A.No. (W.P.)

Admitted and Interim directions
issued.

Allowed.

Disposed of with directions of the
Admission Wage
Dismissed.

Dismissed as withdrawn

Dismissed for default.

Ordered/Rejected.

No. order as to costs.

NO SPARE COPY

