

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

O.A.No.1341/95

Date of Order: 15.4.96

BETWEEN:

M.Oblesu

.. Applicant.

A N D

1. Superintending Engineer,  
(Survey) CC No.86,  
(SEC), Survey of India,  
Visakhapatnam.

2. Director,  
South Eastern Circle,  
Survey of India, Bhubaneswar.

.. Respondents.

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Counsel for the Applicant

.. Mr.Sarvabhouma Rao

Counsel for the Respondents

.. Mr.N.R.Devraj

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CORAM:

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

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J U D G E M E N T

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The applicant in this OA was reported to have been under police custody for 3 years from 20.7.94 to 22.7.94. In view of the above his explanation was asked for in regard to his detention in the police station on the night of 21.7.94 by memo No-21-C/5-A(M.O) dated 22.7.94. That memo had been

Inspector of Police V Town L&O Police Station, Visakhapatnam has informed R1 that after enquiry about his family affairs, on the basis of the report given by Smt.Rani NAD, he was let off after enquiry and there is no case pending against him. It is further stated by the Inspector of Police in the above quoted letter that the applicant was not detained nor was any case registered against him.



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2. Inspite of the above clarification given by the Inspector of Police, it is stated that the leave he applied for the period from 20.7.94 to 22.7.94 was not granted. It is also stated that he is likely to get some more memo in this connection with a view to harass him.

3. This OA is filed praying for a direction to the respondents to stop all further action contemplated in memo dated 22.7.94 (A-1) showcause notice, etc. and on the false allegation made against the applicant to the police on 20.7.94, and also to grant the leave as applied for the period from 20.7.94 to 22.7.94.

4. It is not stated by the applicant what further action is contemplated on the basis of the memo dated 22.7.94 (A-1). The police had also closed the case reported against him. In view of this no direction can be given in regard to some presumed contemplated allegations. Hence the prayer for direction to stop further action contemplated needs no <sup>consideration</sup> ~~correction~~.

5. The learned standing counsel submitted that the applicant with a view to malign the respondents filed this OA after 1½ years of issue of the memo dated 22.7.94. Be that as it may, there is no adjudication required in this connection. Hence the matter need not pursued further.

6. The main contention in this OA is that he was not granted leave on 22.7.94. It is further stated by the applicant that he has submitted a representation to R2 who is the superior

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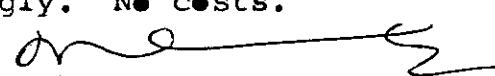
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authority to R1 for granting him leave as prayed for. But any reply. that representation does not get/ But the applicant has not annexed any leave application addressed to R2. In view of the above the applicant may now submit a fresh leave application to R2 within a period of 15 days from the date of receipt of a copy of this <sup>order</sup> if so advised, and if such a representation is received by R2 the same should be disposed of within a period of 2 months from the date of receipt of a copy of that leave application in accordance with the law.

7. In the result, the OA is disposed of as under:- If the applicant submits a leave application for granting him E.L. for the period from 20.7.94 to 22.7.94 to R2 within a period of 15 days from the receipt of a copy of this order, the same should be disposed of by R2 within a period of 2 months from the date of receipt of a copy of that representation.

8. The OA is ordered accordingly. No costs.

  
( R. RANGARAJAN )  
Member (Admn.)

Dated: 15th April, 1996

( Dictated in Open Court )

sd

  
Dy. Registrar (J)

(22)

55430

D.A. NO.1341/95

**COPY TO:**

1. Superintending Engineer,  
(Survey) DC NO.86,  
(SEC) Survey of India,  
Visakhapatnam.
2. Director,  
South Eastern Railway,  
Survey of India,  
Bhubaneswar.
3. One copy to Mr. Sarvabhouma Rao, Advocate,  
CAT, Hyderabad.
4. One copy to Mr. N. R. Devrajgopal CGSC,  
CAT, Hyderabad.
5. One copy to Library, CAT, Hyderabad.
6. One duplicate copy.

YLKR

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16/5/96  
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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH HYDERABAD

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

DATED: 15/6/96

ORDER/JUDGEMENT

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

IN

D.A. NO. 1341/95

ADMITTED AND INTERIM DIRECTIONS ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDERS AS TO COSTS

\* \* \*

No Spare Copy

