

(21)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 1058/95

Date of Order: 7-9-95

Between:

**M.Ramadoss**

... Applicant

and

1. Head, P&GA(Personal and General Administration)  
SHAR Centre, P&GA Division,  
Sreeharikota, Nellore Dist-124.
2. The Deputy Manager(Safety)  
SPROB - PRT, SHAR Centre,  
Sreeharikota, Nellore Dist-124.

Respondents.

For the Applicant :- Mr. S.Lakshma Reddy, Advocate

For the Respondents: Mr. N.V.Ramana,  
Mr./Add.CGSC

CORAM:

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

THE HON'BLE MR. A.B.GORTHI : MEMBER(ADMN)

OA.1058/95

## Judgement

( As per Hon. Mr. Justice V. Neeladri Rao, V.C. )

Heard Sri S. Lakshma Reddy, learned counsel for the applicant and learned counsel for the respondents Sri N.V. Ramana.

2. Charge memo dated 24-1-1995 was issued to the applicant in regard to the incident said to have taken place on 14-9-94. But it is stated for the applicant that for the very same incident CC.395/94 on the file of JFCM, Sulurpet, was filed. This OA was filed praying for a declaration that the action of R-1 in initiating and conducting disciplinary inquiry as per charge memo dated 24-1-1995 pending trial of CC.394/94 is unfair, unreasonable and violative of Articles 14, 23(3) and 21 of the Constitution; and for consequential direction to the respondents to restrain them from proceeding with the disciplinary inquiry in pursuance of the charge memo dated 24-1-1995.

3. Copies of the CC.395/94 and the charge memo dated 21-1-1995 are filed as Annexures I & II. A perusal of the same indicates that both are in regard to the same incident which have said to have been taken place on 15-9-1994. As it is stated for the applicant that prejudice will be caused to him in regard to his defense in CC.395/94, if the disciplinary inquiry is going to be held during the pendency of trial in CC.394/94, it is just and proper to stay the disciplinary proceeding till disposal of the CC.394/94.

4. In the result, the respondents are restrained from proceeding with the disciplinary inquiry in pursuance of the

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charge memo dated 24-1-1995 vide Annexure-II till the disposal of CC.394/94 on the file of JFCM, Sulurpet.

5. The OA is ordered accordingly, at the admission stage.  
No costs.//

*Amr. S. Gorthi*  
(A. B. Gorthi)  
Member (Admn.)

*V. Neeladri Rao*  
(V. Neeladri Rao)  
Vice Chairman

Dated : September 7, 95  
Dictated in Open Court

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1599  
Deputy Registrar (J) CC

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To

1. The Head, P&GA (Personal and General Administration) SGAR.Centre, P&GA Division, Sreeharikota, Nellore Dist-124.
2. The Deputy Manager (Safety) SPROB - PRT, SHAR Centre, Sreeharikota, Nellore Dist-124.
3. One copy to Mr.S.Lakshma Reddy, Advocate, CAT.Hyd.
4. One copy to Mr.N.V.Ramana, Addl.CGSC.CAT.Hyd.
5. One copy to Library CAT.Hyd.
6. One spare copy.

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CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD.

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

and

A.B.Gorathi

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

DATED:- 7-9-1995.

ORDER/JUDGMENT.

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

in

O.A.No.

1058/95

P.A.No.

(W.P.)

Admitted and Interim Directions  
Issued.

Allowed

Disposed of with directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

NO order as to costs.

pvm.

Central Administrative Tribunal  
DESPATCH

18 SEP 1995 NEW

HYDERABAD BENCH