

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)

(22)

DA.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} ~~unfair~~, unreasonable and violation 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 ^{was} ~~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 defence 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~~ ^{ing} from proceeding with the disciplinary inquiry in pursuance of the

..2.

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

5. The OA is ordered accordingly, at the admission stage.

No costs.//

(A. B. Gorthi)
Member (Admn.)

(V. Neeladri Rao)
Vice Chairman

Dated : September 7, 95
Dictated in Open Court

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.

pvm

15/9
TYPED BY

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. Gorthi
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.

P.A.No.

1058/95
(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.

