

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.1432 of 1996

DATE OF ORDER: 16th SEPTEMBER, 1998

BETWEEN:

Ch.RAMANNA

.. APPLICANT

and

1. The Chief Engineer (Navy),
Station Road,
Visakhapatnam 530 004,

2. The Commander-Works-Engineer,
Station Road,
Visakhapatnam 530 004.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.S.KISHORE

COUNSEL FOR THE RESPONDENTS: Mr.V.VINOD KUMAR, ADDL.CGSC

CORAM:

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

HON'BLE SHRI B.S.JAI PARAMESHWAR, Member (Judl.)

JUDGEMENT

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

Heard Mr.S.Kishore, learned counsel for the applicant and Mr.Vinod Kumar, learned standing counsel for the respondents.


2. The applicant in this OA was charge sheeted by letter No.144/D/IP/31/ElC, dated 13.12.93 for certain misconduct under rule 14 of the CCS (CCA) Rules, 1965. The Disciplinary Authority by order No.144/D/IP/210/ElC, dated 15.5.95 (Annexure A-1 at page 9 to the OA) awarded a penalty of reduction to the lower post of Mate Fitter Pipe


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(SK) to the stage of Rs.1030/- in the scale of Rs.800-1150 and until he is found fit after a period of five years from the date of that order, to be restored to higher post of Fitter Pipe (SK). It is further ordered that in case of any promotion, he will not regain the original seniority in the higher post which had been assigned to him prior to the imposition of the penalty. The applicant filed an appeal against that order which was disposed of by the order No.19003/34/211/ElC, dated 6.12.95 (Annexure A-II at page 10 to the OA) confirming the penalty passed by the disciplinary authority.

3. This OA is filed to set aside the proceedings dated 15.5.95 and 6.12.95 and for consequential direction to the respondents to pass such order beneficial to the applicant.

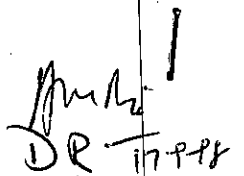
4. A similar OA viz, OA 1314/96 was filed by one of the employees viz, Mr.I.Ranga Rao, ^{against} ~~for~~ awarding him punishment under rule 14 of the CCS (CCA) Rules for the same offence. For the elaborate reasons stated in that judgement, that OA was dismissed on 13.11.96. The applicant in this OA is similarly situated as the applicant in OA 1314/96. Hence for the reasons stated in the judgment in OA 1314/96 dated 13.11.96, this OA is also liable to be dismissed. Accordingly it is dismissed. No order as to costs.


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


(R. RANGARAJAN)
MEMBER (ADMN.)

16.9.98
DATED: 16th September, 1998
Dictated in the open court

ysn


DR 17.9.98

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Copy to:

1. The Chief Engineer(Navy) Station Road, Visakhapatnam.
2. The Commander Works Engineer, Station Road, Visakhapatnam.
3. One copy to Mr.S.Kishore,CAT,Hyderabad.
4. One copy to Mr.V.Vinod Kumar,Addl.CGSC,CAT,Hyderabad.
5. One copy to D.R(A),CAT,Hyderabad.
6. One duplicate copy.

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9/10/98
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II COURT

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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR :
M(J)

DATED: 16/9/98

ORDER/JUDGMENT
M.A/R.A/C.P.NO.

in

G.A.NO. 1432/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED
ALLOWED
DISPOSED OF WITH DIRECTIONS
DISMISSED ✓
DISMISSED AS WITHDRAWN
ORDERED/REJECTED
NO ORDER AS TO COSTS

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केन्द्रीय प्रशासनिक न्यायालय
Central Administrative Tribunal
भारत / DESPATCH
24 SEP 1998
हैदराबाद न्यायपीठ
HYDERABAD BENCH