

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

CONTEMPT-PETITION-NO.39-of-1997
in
ORIGINAL-APPLICATION-NO.173-OF-1996

DATE-OF-ORDER:-19th-June,-1997

BETWEEN:

M.BALACHANDRAN PILLAI

.. APPLICANT

AND

Shri K.Manohar Rao,
General Manager,
South Central Railway,
Secunderabad.

....RESPONDENT

COUNSEL FOR THE APPLICANT: Mr.P. KRISHNA REDDY

COUNSEL FOR THE RESPONDENTS:Mr. JR GOPALA RAO, Addl.CGSC

CORAM:

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

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

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

Heard Mr.P.Krishna Reddy, learned counsel for the applicant and Mr.V.Rajeswara Rao for Mr.J.R.Gopal Rao, learned standing counsel for the respondents.

2. O.A.No.173/96 was disposed of on 16.2.96 directing the General Manager, South Central Railway, Secunderabad, to dispose of the representation of the applicant dated 15.4.95 expeditiously, preferably within a period of two months from the date of receipt of a copy of the order.

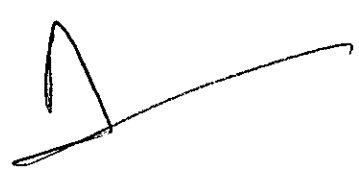
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Today, the learned counsel for the respondents produced letter No.P/E/648/O.A.No.173/96/MBP dated 12.6.97 addressed to CAO(C), Secunderabad wherein the decision of the General Manager was conveyed to him and that authority ^{has} to inform the applicant. The learned counsel for the respondents submits that the reply has already been issued to the applicant by registered post. But no proof of having despatched to the applicant was produced. In any case, the learned counsel for the applicant submits that he believes the respondents and hence he has no objection to close the C.P.

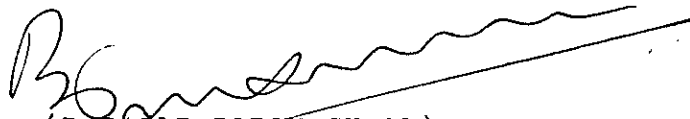
3. The learned counsel for the applicant brought to our notice that the reply from the General Manager to the CAO(C), Secunderabad was issued on 12.6.97. The judgement in OA was dated 16.12.96 and the representation as per that order should have been disposed of within two months from the date of receipt of a copy of that order. Even presuming that it took some time, the reply should have been issued within six months i.e, at least by the end of August, 1996. But reply was issued only on 12.6.97 and that too to the CAO(C), Secunderabad. He also submits that in the meanwhile, a lawyer's notice was sent to the General Manager for compliance of the judgement. In spite of that, the General Manager had taken ^{over} ~~about~~ a year to dispose of his representation. The learned counsel for the applicant is very much aggrieved because of the delay involved in the compliance of the judgement and he requests that remedial measures have to stipulated by this Bench for avoiding ^{such} recurrence.

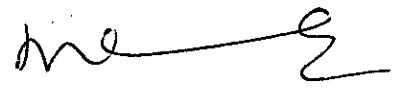
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4. We fully agree with the view expressed by the learned counsel for the applicant. A simple representation should not have been taken ^{so} much of time to be disposed of. If there ^{was} ~~is~~ complication in resolving the issue before replying the applicant in the OA, then the General Manager should have called for a meeting of the concerned and decided the issue forthwith. But the time taken for disposing of the reply is very ^{long} ~~heavy~~. We do not appreciate the delay in ^{issuing the} ~~reply~~ ^{for the} reply. However, as this was brought to our notice first time, we take a lenient view. We advise the General Manager, South Central Railway, to avoid such recurrences in future.

5. With the above observations, the C.P. is closed. Our observations should be put up to the General Manager, South Central Railway for his perusal within a week after the receipt of a copy of this order. No costs.

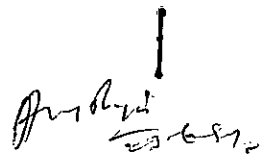

(B.S. JAI PARAMESHWAR)
MEMBER (JUDL.)


(R. RANGARAJAN)
MEMBER (ADMN.)

19.6.97

DATED: 19th June, 1997
Dictated in the open court.

vsn


D. R. (J)

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TYPED BY
COMPAED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

DATED 19/6/97

ORDER/JUDGEMENT

W.A. No. 39/97

D.A. No. 173/96

Admitted and Interim directions

Allowed

Disposed of with directions,

Dismissed. C.P. closed.

Dismissed as withdrawn.

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

