

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 197/96.

Date of Order: 14-2-96.

Between:

Chakkala Apparao ...

Applicant.

And

1. Union of India, reby its Secretary, Ministry of Defence, New Delhi.
2. The Chief of Naval Staff, Naval Head Quarters, New Delhi.
3. Flag Officer-Commanding-in Chief, Eastern Naval Command, Head Quarters, Visakhapatnam.
4. General Manager, Naval Armament Depot, Visakhapatnam, and
5. Commedore, Chief Staff Officer(P & A), Mukhyalaya, Peov Nausena Kaman, Nausena Base, Visakhapatnam.

Respondents.

...

Respondents.

For the Applicant :- Mr. A.Srinivasa Sarma

For the Respondents: Mr. K.Bhaskar Rao.
Sr./Add.CGSC

CORAM:

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

THE HON'BLE MR.RARANGARAJAN : MEMBER(ADMN)

C.A.No.197/96.

JUDGEMENT

Dt: 14.2.96

(AS PER HON'BLE SHRI JUSTICE V.NEELADRI RAO, VICE CHAIRMAN)

Heard Shri A.Srinivasa Sarma, learned counsel for the applicant and Shri K.Bhaskar Rao, learned standing counsel for the respondents.

2. This CA was filed under Section 19 of the Administrative Tribunals Act against the order dated 10.6.94 passed by R-4, the disciplinary authority, whereby the applicant was removed from service by way of punishment. It is stated for the applicant that the appeal dated 7.8.94 was preferred against the said order and the same is not yet disposed of.

3. One of the contentions for the applicant is that in regard to a similar charge as against Shri J.Satyanarayana, the said Shri Satyanarayana having been found guilty for the charge referred to, was only reverted but not removed from service, and hence it is one of discrimination when the applicant was removed from service even assuming that the charge against him is held to be as proved. It is stated that the same was referred to as one of the grounds in the appeal dated 7.8.94 preferred before R-3.

4. In the circumstances referred to this OA is disposed of as under at the admission stage itself:-

R-3 has to dispose of the appeal dated 7.8.94 preferred by the applicant against the order dated 10.6.94 passed by R-4, expeditiously and preferably within one

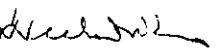
X

.. 2 ..

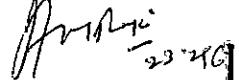
month from the date of receipt of a copy of this order. It is needless to say that R-3 has to advert to all the grounds raised in the memo of appeal. In case the order to be passed by R-3 is going to be prejudicial to the applicant, he is free, if so advised, to move this Tribunal by filing an application under Section 19 of the Administrative Tribunals Act, 1985.

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


(R. RANGARAJAN)
MEMBER (ADMN.)


(V. NEELADRI RAO)
VICE CHAIRMAN

DATED: 14th February, 1996.
Open court dictation.


23-2-96
Dy. Registrar (Judicial)

vsn

Copy to:-

1. Secretary, Ministry of Defence, Union of India, New Delhi.
2. The Chief of Naval Staff, Naval Head Quarters, New Delhi.
3. Flag Officer-Commanding-in Chief, Eastern Naval Command, Head Quarters, Visakhapatnam.
4. General Manager, Naval Armament Depot, Visakhapatnam.
5. Commodore, Chief Staff Officer (P & A), Mukhyalaya, Peerv Nausena Kaman, Nausena Base, Visakhapatnam.
6. One copy to Mr. A. Srinivasa Sarma, Advocate, G-4, Thirumala Enclave, 2-2-1149/1, New Nallakunta, Hyd-44.
7. One copy to Mr. K. Bhaskar Rao, CGSC, CAT, Hyd.
8. One copy to Library, CAT, Hyd.
9. One spare copy.

kku.

04-197/96

1/3/96

I COURT

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

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

Dated: 14-2-1996

ORDER/JUDGMENT

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

in

O.A.No.

197/96

T.A.No.

(w.p.No.)

Admitted and Interim directions issued.

Allowed.

Disposed of with directions

Dismissed.

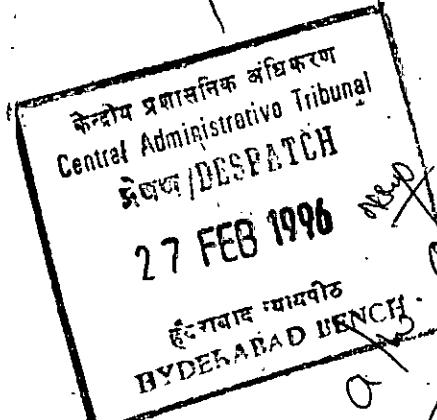
Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Space COPY



of copies