

17

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.No.1288/96

Date of Order: 5.11.96

BETWEEN :

R.Sudarshan

.. Applicant.

AND

1. The Director,
National Institute of Oceanography,
Dona-Panla, Goa-403 004.

2. The Scientist-in-Charge,
National Institute of Oceanography,
Regional Centre, Waltair,
Visakhapatnam.

.. Respondents.

Counsel for the Applicant

.. Mr.V.Ajay Kumar

Counsel for the Respondents

.. Mr.N.V.Raghava Reddy

CORAM:

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

HON'BLE SHRI B.S.JAI PARAMESWAR : MEMBER (JUDL.)

JUDGEMENT

X Oral order as per Hon'ble Shri R.Rangarajan, Member (Admn.) X

Heard Sri V.Ajay Kumar, learned counsel for the applicant and Mr.N.V.Raghava Reddy, learned standing counsel for the respondents.

2. The applicant in this OA while working as Scientist-B under R-2 was issued with a memorandum of charges vide memo No.1/973/91-NIO, dated 30.11.95 for certain omissions and commissions. He was also placed under suspension by order No.1/973/91-NIO, dated 8.4.96.

3. The OA is filed, setting aside the impugned order of suspension dated 8.4.96 of R-1 by holding it as illegal.



(13)

.. 2 ..

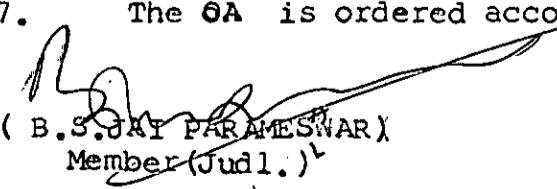
arbitrary, unwarranted and violative principles of natural justice and CCS (CCA) Rules 1965 and Articles 14, 16 and 21 of the Constitution of India.

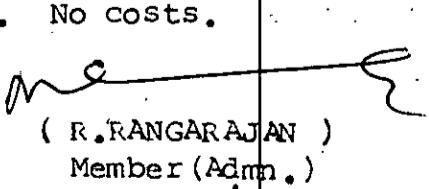
4. The applicant has submitted his explanation by his representation dated 14.4.96 (A-3). It is the grievance of the employee that even though the charge sheet was issued on 30.11.95 and he was placed under suspension on 8.4.96 no further action had been taken to conduct the enquiry in this case. The delay in conducting the enquiry caused lot of prejudice to him and also he now prays for quashing ~~of~~ the suspension order.

5. The Court or Tribunal should not hastily suspend the suspension order if there is no technical flaw in this connection. The learned counsel for the applicant has not pressed any technical flaw in this connection. It is ~~the~~ ^{subject of} ~~the~~ ^{the} ~~claim is~~ ^{order} given in this connection to R-1 to conduct the enquiry expeditiously and issue a final order in this charge sheet issued to him on 30.11.95. It is needless to point out that the applicant should co-operate in the enquiry for expediting the same.

6. In the result, the following direction is given:-
R-1 should expedite the conducting of the enquiry in regard to the charge sheet issued to the applicant dt. 30.11.95 in accordance with the rules expeditiously, preferably within 6 months from the date of this order. The applicant should co-operate ⁱⁿ with expediting the final enquiry.

7. The OA is ordered accordingly. No costs.


(B.S. DAY PARAMESWAR)
Member (Judl.)


(R. RANGARAJAN)
Member (Admn.)

Dated: 5th November, 1996

(Dictated in Open Court)

sd

D.R.J
14/11/96

D.A.NO.1288/96

Copy to:

1. The Director,
National Institute of Oceanography,
Dona-Panla, Goa - 403 004.
2. The Scientist in charge,
National Institute of Oceanography,
Regional Centre, Waltair,
Visakhapatnam.
3. One copy to Mr.V.Ajay Kumar, Advocate,
CAT, Hyderabad.
4. One copy to Mr.N.V.Raghava Reddy, Addl.CGSC,
CAT, Hyderabad.
5. One copy to Library,CAT, Hyderabad.
6. One duplicate copy.

YLKR

26/UPA
20

Typed By
Compared by

Checked By
Approved by

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

DATED: 5-11-96

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

in

O.A.NO. 1288/96

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

YLR

II COURT

