

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.584/96

DATE OF ORDER : 16-09-1998.

Between :-

Smt. S. Pyari

.... Applicant

And

1. The Director of Postal Services,
Kurnool Region, Kurnool.
2. The Superintendent of Post Offices,
Tirupathi Division, Tirupathi.

.... Respondents

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Counsel for the Applicant : Shri S. Ramakrishna Rao

Counsel for the Respondents : Shri V. Bhimanna, CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R. Rangarajan, Member (A)).

R

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.... 2.

D

(31)

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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Heard Sri S.Ramakrishna Rao, counsel for the applicant and Sri V.Bhimanna, learned standing counsel for the respondents.

2. This OA is filed for setting aside the order of the put off-duty wide order No.INV/Misc./G.R.Palli dt.24-1-1996 (Annexure-I page-9 to the OA) and to expedite the enquiry in accordance with the law.

3. When the OA was taken up for hearing, the learned counsel for the applicant submitted that the enquiry has been completed and the applicant is also ~~removed~~ removed from service. In view of the above, the OA has become infructuous. However, the learned counsel for the applicant took objections to the observations made in para-7 of the reply affidavit. He submits that there is no provision in ED Rules to put off duty ^{even} ~~if there is prima~~ ^{if} ~~of~~ facie case ~~ever~~ before starting enquiry.

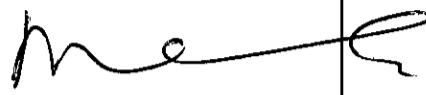
4. The objection taken by the applicant has no bearing in this case as the applicant had already been removed from service, she is at liberty to challenge the removal order in accordance with the law. However, the respondents should be very careful in filing reply so as to ensure that no remarks not covered by ~~the~~ rules ^{is} should not be included in reply.

5. As the learned counsel for the applicant himself submitted that the OA has become infructuous, it is disposed of as having become infructuous. No order as to costs.


(B.S.JAI-PARAMESHWAR)

Member (J)

16.9.98


(R.RANGARAJAN)

Member (A)

Dated: 16th September, 1998.
Dictated in Open Court.

Amby
DR 17.9.98]

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Copy to:

- 1- The Director of Postal Services, Kurnool Region, Kurnool
2. The Superintendent of Post Offices, Tirupathi Division, Tirupathi.
3. One copy to Mr.S.Ramakrishna Rao, Advocate, CAT, Hyderabad.
4. One copy to Mr.V.Bhimanne, Addl.CGSC, CAT, Hyderabad.
5. One copy to D.R(A),CAT, Hyderabad.
6. One duplicate copy.

YLKR

II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 16/9/98

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

in
D.A.NO: 584/96

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLR

