

(57)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.602/1996

DATE OF ORDER : 17-09-1998.

Between :-

N.R.Pal

... Applicant

And

1. The Union of India
rep. by The Secretary,
M/o Defence, DHQ Post Office,
New Delhi.
2. The Director General,
Electrical & Mechanical Engineers,
Army Headquarters, DHQ PO,
New Delhi.
3. The Vice-Chancellor,
Jawaharlal University,
New Delhi-110067.
4. The Commandant,
Military College of
Electrical & Mechanical Engineering,
Sec'bad-500015.

... Respondents

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Counsel for the Applicant : Shri K.Sudhakar Reddy

Counsel for the Respondents : Shri N.R.Devaraj, Sr.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)).

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... 2.

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

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Heard Sri K.Sudhakar Reddy, counsel for the applicant and Sri W.Satyanarayana for Sri N.R.Devaraj, for the respondents.

2. The applicant is working as Lecturer in MCEME. He has filed this OA for a declaration that the post of Lecturer in Metallurgy in MCEME is surplus and unjustified as teaching of Metallurgy is not included in the Academic Schedules of MCEME.

3. When the OA is taken up for adjudication, the applicant produced the order of Government of India, Ministry of Defence dt.27-11-97, which is taken on record. As a sequel to Disciplinary Proceedings under Rule 14 of CCS (CC&A) Rules, 1965, Ministry of Defence vide Order No.5(5)/89/D(Lab) dt.24-5-93 awarded penalty of "reduction in pay by two stages for two years without having any postponement of future increments" on the applicant. Against that the applicant filed an appeal which was disposed of on 26-5-94. On the directions of this Tribunal in OA 1489/94 applicant preferred further representation dt.22-9-97 to his earlier representation dt.1-12-93, which were disposed of by the President, who has considered the petition of the applicant in the light of facts and circumstances of the case and opined as follows :-

(a) that it is agreed that he has been wrongly recruited in MCEME, since Metallurgy, as a subject, is not included in academic curricula of the institution.

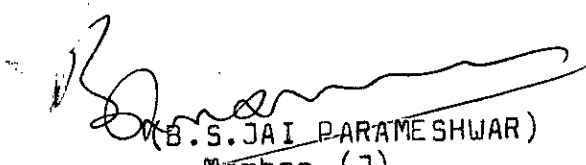
In view of the above opinion of the President of India, it is for the authorities to decide his posting as Lecturer, Metallurgy

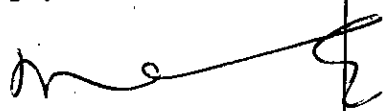
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in accordance with the rules ^{and} necessity to retain ^{him in} that post in
MCME, Secunderabad. It is not necessary for this Bench to
further look into the matter. In view of the above, the respon-
dents may decide the issue bearing in mind the observations made
in the letter dt.27-11-97 extracted above and pass suitable order
in that connection. The applicant, if so desire, may submit a
representation in that connection, but even if he has not represen-
ted his case, a detailed order should be passed ~~in~~ within a period
of three months from the date of receipt of a copy of this order.

4. O.A. is disposed of accordingly. No costs.


(B.S. JAI PARAMESHWAR)
Member (J)


(R. RANGARAJAN)
Member (A)

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Dated: 17th September, 1998.
Dictated in Open Court.

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D.K. Nayak

OA.602/96

Copy to:-

1. The Secretary, M/o Defence, DHQ Post Office, New Delhi.
2. The Director General Electrical & Mechanical Engineers, Army Headquarters, DHQ PO, New Delhi.
3. The Vice-Chancellere, Jawaharlal University, New Delhi.
4. The Commandant, Military College of Electrical & Mechanical Engineering, Secunderabad.
5. One copy to Mr.K.Sudhakar Reddy, Advocate, CAT., Hyd.
6. One copy to Mr.N.R.Devaraj, Sr.CGSC., CAT., Hyd.
7. One copy to D.R.^{mt}(A), CAT., Hyd.
8. One duplicate copy.

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23/10/98
(8)

II COURT

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 17/10/98

ORDER/JUDGMENT

M.A/P.A/C.P.N.S.

in
D.A. NO. 602/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

YLKR

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
भारत / DESPATCH
- 9 OCT 1998
हैदराबाद बेंच
HYDERABAD BENCH