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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 888/96

DATE OF ORDER : 15-09-1998.

Between :-

T.L.Narasimha Rao

... Applicant

And

Superintendent of Post Offices,
Suryapet Postal Division,
Suryapet District Nalgonda.

... Respondent

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Counsel for the Applicant : Shri S.Ramakrishna Rao

Counsel for the Respondents : Shri K.Ramulu, Addl.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 B.S.Jai Parameshwar, Member (J)).

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... 2.

(66)

(Order per Hon'ble Shri B.S.Jai Parameshwar, Member (J)).

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Heard Sri S.Ramakrishna Rao, counsel for the applicant and Ms.Shama for Sri K.Ramulu, standing counsel for the respondents.

2. The applicant was appointed as EDBPM, Chandupatla B.O. during the year 1991. He submits that the Superintendent of Post Offices, Suryapet issued a memo of Charges bearing No.F4-1/95-96 (Annexure-I to the OA) DT.21-11-1995. He was put of duty from 27-7-1995. Charge memo was issued to him on 21-11-1995. It is stated that a Criminal Complaint has been ~~alleged~~ ^{Lodged} against him for the said charges indicated in the charge memo.

3. Hence he has filed this OA for a direction to the respondents to stay further proceedings in the Departmental Proceedings till the disposal of the Criminal Case. On 2-8-1996 we had the respondents, directed/pending further orders, not to proceed with the Disciplinary Enquiry from the stage it was reached as on that day. If any order had been passed already, the same shall not be given effect to until further orders even already ~~are~~ implemented.

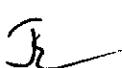
4. The respondents have filed MA 446/98 submitting that the Disciplinary Proceedings have been completed longback and it is kept pending in view of the interim orders.

5. During the course of hearing, the learned counsel for the applicant submitted that the respondent authorities concluded the Disciplinary Proceedings and even passed an order removing the applicant from service. It is stated that

the respondents had passed the removal order inspite of interim order dt.2-8-96. The respondents when question^{ed} as to why they completed Disciplinary Proceedings inspite of an interim order dt.2-8-96, they produced letter dt.7-9-98 wherein the order of removal dt.3-6-98 was cancelled and the applicant ~~will~~ be deemed to be under put of duty with effect from 3-6-98. Then the Court directed the respondents that they should pay ex-gratia from the date of removal till 7-9-98. The learned standing counsel further produced letter dt.10-9-98 whereby the applicant was paid ex-gratia amount of Rs.2,033/- . Hence the respondents have taken back their order removing the applicant from service thereby avoiding the contempt of court proceedings. In view of the above submission, the MA is disposed of as no order is necessary.

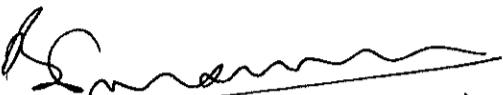
6. The enquiry against the applicant has already been completed. Hence even if any order is passed in this case it will only delay the process. Hence the respondents may be allowed to complete Disciplinary Proceedings and issue suitable orders which can be challenged by the applicant, but the order on the basis of the Disciplinary Proceedings to be issued ~~will~~ ^{shall} take effect one month after serving that order on the applicant. That direction will enable the applicant to approach this Tribunal ^{to be -} if he is aggrieved by the order issued on the basis of Disciplinary Proceedings.

7. In view of the above, the Original Application is disposed of permitting the respondents to complete the Disciplinary Proceedings and issue orders on that basis as directed

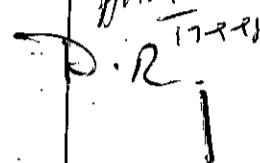




above. The applicant is at liberty to challenge that order as and when issued in accordance with the law. The letters dt. 7-9-88 and 10-9-88 are taken on record. O.A. disposed of accordingly. No costs.


(B.S.JAI PARAMESHWAR)
Member (J)
15.9.98


(R.RANGARAJAN)
Member (A)


D.R.

Dated: 15th September, 1998.

Dictated in Open Court.

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DA.988/96

Copy to :-

1. The Superintendent of Post Offices, Suryapet Postal Division, Suryapet District Nalgonda.
2. One copy to Mr. S.Ramakrishna Rao, Advocate, CAT., Hyd.
3. One copy to Mr. K.Ramulu, Addl.CGSC., CAT., Hyd.
4. One copy to HBSJP M(J), CAT., Hyd.
5. One copy to D.R.(A), CAT., Hyd.
6. One copy duplicate.

SRR

9/10/98 (6)
II COURT

TIYED BY
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CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED : 15/9/98

ORDER/JUDGMENT

M.A/R.A/C.P.N.C.

in
O.A.NO: 888/98

ADMITTED AND INTERIM DIRECTIONS
ISSUED

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

Y LKR

