

(3)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:HYDERABAD BENCH
AT HYDERABAD.

OA.298/96.

Date of order:19-12-96.

Between:-

Ravula Venkateswarlu ... Applicant.

And

1. The Member (Personnel),
Telecom Commission, Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecom Andhra Pradesh,
Hyderabad.
3. The Director, Telecom, Guntur-523 007.

... Respondents.

Counsel for the Applicant: Mr.K.Lakshmi Narasimha

Counsel for the Respondents: Standing Counsel.

CORAM:

HON'BLE MR.JUSTICE M.G.CHOUDHARI, VICE CHAIRMAN

HON'BLE SHRI H.RAJENDRA PRASAD, MEMBER (A)

Hon'ble Tribunal made the following orders:-

MA.1117/96 is filed for amendment of the pleadings. It is submitted that the amendment does not introduce any new cause of action but as in-advertently material facts had remained to be stated in the O.A. the amendment is necessary to enable the Court to effectually decide the controversy in issue.

2. M.A. 1116/96 is to amend the cause title by substituting the 3rd respondent's designation as Dy.General Manager. The learned counsel now submits that he will consider whether the change is required or the title should be amended by joining the DGM as additional respondent: since the order impugned is Appellate order passed in exercise of powers under the Rules.

3. Both the above applications will require notice to be issued to the respondents to show cause and that will delay the consideration of interim relief. Shri K Lakshminarasimha therefore submits that he may be allowed to withdraw the O.A. with liberty to file a fresh app-

rehensive O.A. including the pleadings sought to be introduced by way of amendment as prayed in both the applications. He submits that there would arise no bar of limitation and there would be no change in the cause of action. We think that the request is justified. Hence following order:-

The O.A. is allowed to be withdrawn with liberty to the applicant to file a fresh O.A. in which the amendments sought by the 2 MAs may be incorporated. The applicant will be at liberty to apply for interim relief. The minutes dt.5-2-96 will mutatis-mutandis apply to the fresh O.A. with necessary modifications.

4. The fresh O.A. be filed within one week and be served on the Sr. Standing counsel for the Central Government. The Respondents to file reply to the O.A. within 6 weeks from the date of service of the copy of the amended OA. On the copy of the amended O.A. being served, fresh notice will be deemed to have been waived as they are already served in this O.A. The applicant will be at liberty to apply for interim relief with prior notice to the counsel for the respondents after the fresh O.A. is served upon the respondents counsel.

[Signature]
DY.REGISTRAR(JUDL)

MA.1117 & 1116/96 in
OA.898/96.

Copy to:-

1. The Member(Personnel), Telecom Commission, Sanchar Bhavan, New Delhi.
2. The Chief General Manager, Telecom Andhra Pradesh, Hyderabad.
3. The Director, Telecom, Guntur-523 007.
4. One copy to Mr.K.Lakshmi Narasimha, Advocate, CAT, Hyd.
5. One copy to CGSC, CAT, Hyd.
6. One spare copy.

kku.

Q 6/1/57

I COURT

TYPED BY

CHECKED BY

COMPILED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

THE HON'BLE MR. H. RAJENDRA PRASAD
MEMBER (ADMN)

Dated: 18-12-1996

ORDER / JUDGMENT

M.A./R.A/C.A. No.

O.A. No.

T.A. No.

in

(M.P.)

Admitted and Interim Directions
Issued.

Allowed.

Disposed of with directions

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

pvm.

