

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH  
AT HYDERABAD

O.A. 948/96 with MA 189/97

Date of decision: 27.2.97

Between:

M.A. Khaleem ... Applicant

And

Senior Superintendent of  
Post Offices,  
Visakhapatnam. ... Respondents

Mr. P.B.Vijaya Kumar .. Counsel for applicant

Mr. V.Rajeshwara Rao, ACGSC .. Counsel for respondent

CORAM

HON'BLE SHRI JUSTICE M.G. CHAUDHARI, VICE CHAIRMAN

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

O R D E R

Oral Order (Per Hon'ble Shri Justice M.G.Chaudhari, VC)

Mr. Y.Subramanyam for Mr. P.B.Vijaya Kumar. Mr. V.Rajeshwara Rao, ACGSC for the respondent.

The O.A. was filed seeking a direction to the respondent to defer the enquiry in pursuance of the charge-sheet dated 26.3.96 pending finalisation of the SC 6/95 on the file of Metropolitan Sessions Court, Visakhapatnam. On the date on which the OA was filed, namely 31.7.96, the criminal case was pending. By interim order dated 14.8.96 further proceedings in pursuance of the above mentioned charge-sheet was stayed until further orders. Both the learned counsel now inform that the criminal case has now been finally disposed of. The learned Additional Standing Counsel has produced for our perusal a copy of the judgement passed in the criminal case dated 17.12.96 which shows that the applicant has been acquitted of the charges that were framed against him in that case.

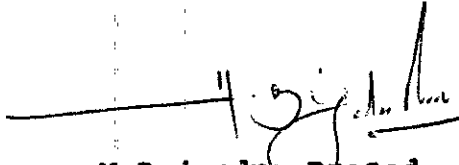
2. The respondent has applied by the M.A. for vacating the stay. The learned Counsel <sup>for the applicant</sup> however states that the applicant will have no objection if the disciplinary proceedings are

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continued in which he may be given opportunity to rely on the circumstances of his acquittal from the criminal case. He has no objection to dispose of the OA. Accordingly the following order is passed:-

- (1) The respondent is at liberty to proceed with the Disciplinary proceedings initiated in pursuance of charge-sheet dated 26.3.96 issued to the applicant and complete it as expeditiously as possible.
- (2) It will be open to the applicant to bring to the notice of the disciplinary authority the judgement of the criminal case. The applicant will be at liberty to pursue his remedies in accordance with the law should he be aggrieved by the final orders in the disciplinary enquiry.
- (3) Consistently with the above directions the interim stay granted on 14.8.96 is vacated.

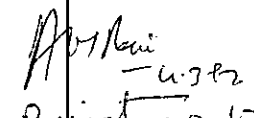
3. The O.A. is disposed of in terms of the above order.  
No order as to costs. M.A. disposed of with no separate order.

  
H. Rajendra Prasad  
Member (Admve.)

  
M.G. Chaudhari (J)  
Vice Chairman

27th February, 1997

vm

  
Deputy Registrar

O.A.948/96

To

1. The Senior Superintendent of Post Offices  
Visakhapatnam.
2. One copy to Mr. P.B.Vijayakumar, Advocate, CAT.Hyd.
3. One copy to Mr.V.Rajeswar Rao, Addl.CGSC.CAT.Hyd.
- ~~4. One copy to Library, CAT.Hyd.~~
5. One copy to D.R.(A) CAT.Hyd.
6. One spare copy.

pvm.

26/3/97

I COURT

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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: 27-2-1997

ORDER / JUDGMENT

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

in

O.A.No.

T.A.No.

(W.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.

