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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

OA.No.1630/97

Date of Order: 5.4.1999

BETWEEN:

G.S.Pillay

... Applicant

AND

1. The Secretary to Govt.of India,  
Department of Atomic Energy,  
C.S.M Marg, Mumbai - 400 039.

2. The Chief Executive,  
Nuclear Fuel Complex,  
Department of Atomic Energy,  
ECIL Post, Hyderabad.

3. The Deputy Chief Executive (A),  
Nuclear Fuel Complex,  
Department of Atomic Energy,  
ECIL Post, Hyderabad.

... Respondents

Counsel for the Applicant - Mr.V.Venkateshwar Rao, Advocate

Counsel for the Respondents - Mr.V.Bhimanna, Addl.CGSC

CORAM:

THE HON'BLE MR.R.RANGARAJAN : MEMBER (ADMN.)

THE HON'BLE MR.B.S.JAI PARAMESHWAR : MEMBER (JUDL.)

O R D E R

(per Hon'ble Mr.B.S.Jai Parameshwari, M(J))

Heard Shri V.Venkateshwar Rao the learned counsel for the Applicant and Mr.V.Bhimanna the learned standing counsel for the Respondents.

2. This is an application under Section 19 of the Administrative Tribunals Act,1987. The application was filed on 28.7.97.

3. While the applicant was working as Tradesman 'D' (Industrial Temp. workman) MZFG under the Respondents organisation i.e. N.F.C., the applicant appeared to have remained unauthorisedly absent from duties for



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certain period. The Respondent No.3 issued a major penalty charge memo vide his proceedings No.NFC/PA.V/2606/0469/785, dt.28.2.94. The Respondent No.3 appointed an Inquiry Officer. The misconduct alleged against the applicant (which is at page 10 Annexure-I) reads as follows :-

That the said Shri G.S.Pillay, while working as Tradesman 'D' in MZFG, NFC, has been remaining absent unauthorisedly without sanction of leave from 15.11.93 onwards and thereby exhibited lack of devotion to duty and behaved in a manner unbecoming of a Government servant.

Shri Pillay is, therefore, charged for acts of misconduct in terms of Rule 3(1)(ii) and 3(iii) of CCS (Conduct) Rules, 1964.

From the Annexure <sup>II</sup> <sub>2</sub> to the charge memo it is disclosed that the applicant had remained unauthorisedly absent for about 102 days between 15.12.93 and 24.2.94. He had also submitted Medical Certificates dt.15.11.93, 21.11.93, 28.11.93, 5.12.93, 15.12.93 and 14.1.94, alleging that he was not well during the said period.

4. A detailed inquiry was conducted into the charges. It is stated that during the inquiry, Inquiry Officer obtained letter of admission dt.25.5.94 from him under pressure. A copy of the same is at Annexure A-V, page-17. The Inquiry Officer concluded the inquiry on that basis.

5. The applicant submits that he submitted his detailed explanation to charge memo dated 25.5.94. A copy of his explanation is at Annexure VI, page 16.

6. The Inquiry Officer submitted his report dt. 30.5.94. The Inquiry Officer held the applicant guilty of

*DR*

charges. A copy of the report of the Inquiry Officer is at Annexure A-VII page 20. A copy of the report was furnished to the applicant vide memo dt.1.8.94. The applicant submitted his representation dt.19.8.94. A copy of the representation is at Annexure A-X page 23. This representation is more or less on the lines as that of his explanation to the charge memo dt.25.5.94 page 18.

7. The Disciplinary authority i.e. Respondent No.3 after considering the representation of the applicant and report of the Inquiry Officer, accepted the findings of the Inquiry Officer. The Respondent No.3 by his proceedings No.NFC/PA IX/1(1)0469/888, dt.30.8.94 imposed the penalty which reads as follows:-

Now, therefore, the undersigned in exercise of the powers conferred under clause (b) of sub-rule (2) of Rule 12 of CCS (CCA) Rules,1965 , read with DAE Order No.1/6(1)/91/Vig/93, dated 3.5.93 hereby imposes the penalty of reduction of pay by eight stages from Rs.1560/- to Rs.1320/- in the scale of pay of Rs.1320-30-1560-EB-40-2040 for a period of seven years with immediate effect, on the said Shri G.S.Pillay, Tradesman'D', ED No. 0469, MZFG. It is further directed that Shri Pillay will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will have the effect of postponing his future increments of pay.

8. Against the punishment Order dt.30.8.94 the applicant submitted an appeal to the Chief Executive, N.F.C.,Dept.of Atomic Energy, ECIL Post, Hyderabad, i.e. appellate authority. The appellate authority considered ~~the appeal~~ and vide office proceedings of even number dt.28.2.95 rejected the appeal and confirmed the punishment. A copy of the order of appellate authority is at page 31 to 33 of the OA.

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9. The applicant submitted a revision petition to the Secretary, Department of Atomic Energy, C.S.M. Marg, Mumbai, i.e. Respondent No.1. A copy of the revision petition is at page 34 to 38 of the OA. The Respondent No.1 by his proceedings No.6/2(13)/96-IND(NFC)/158, dt. 26.7.96 modified his punishment imposed by the Respondent No.3 and the punishment was modified by the Respondent No.2 as follows :-

Now therefore, the undersigned in exercise of the powers conferred vide Rule 29 of the CCS (CCA) Rules, 1965, hereby revises the penalty imposed on Shri G.S.Pillay, Tradesman 'D', NFC, vide order No.NFC/PA.IX/1(01)/0469/898, dated 30.08.1994, which was confirmed by the Appellate Authority vide Order No.NFC/PA.IX/1(01)/0469/75 dated 28.02.1995, from "reduction of pay by eight stages from Rs.1560/- to Rs.1320/- in the scale of pay of Rs.1320-30-1560-EB-40-2040" to "reduction of pay by four stages from Rs.1560/- to Rs.1440/- in the scale of pay of Rs.1320-30-1560-EB-40-2040" for a period of seven years.

10. The applicant has filed this O.A. for the following reliefs:-

To call for the records pertaining to the orders;

- 1) Order vide Ref.No.NFC/PA.IX/1(01)0469/888 dated 30.8.1994 issued by the Respondent No.3 imposing the penalty of reduction of pay by eight stages from Rs.1560/- to Rs.1320/- in the scale of pay of Rs.1320-2040 for a period of seven years;
- 2) The Order vide Ref.No.NFC/PA.IX/1(01)/0469/75 dated 28.2.1995 issued by the 2nd respondent confirming the order of penalty imposed by the respondent No.3 and;



3) The Order vide Ref. No. 6/2(18)/96-IND(NFC)/158 dated 26.7.1996 issued by the 1st Respondent revising the penalty imposed by the 2nd & 3rd respondents to that of reduction of pay by four stages from Rs.1560-1440 in the scale of pay of Rs.1320-2040 for a period of seven years; and quash the same as illegal, arbitrary and unconstitutional by holding that the applicant herein is entitled for all consequential benefits such as arrears of pay and allowances etc.

11. The applicant has challenged the impugned orders on the ground that the Inquiry Officer has not at all conducted the inquiry in accordance with the Rules, 1965 that the Inquiry Officer obtained letter of admission dt. 25.5.94 by exercising pressure on him that his absence was not on any ground but purely on ill-health that he had submitted the certificates issued by the medical authorities time to time that the Respondent authorities did not consider those medical certificates while deciding the misconduct alleged against him.

12. The respondent authorities have filed a reply stating that the charge memo was concluded as the applicant admitted the charge levelled against him by his letter dt. 25.5.94 and that the authorities have passed impugned orders applying their mind. There are no reasons to interfere with the impugned orders.

13. The first contention of the applicant is that the disciplinary authority appointed the Inquiry Officer even before his submission of explanation to the charge memo. On going through the <sup>inquiry</sup> proceedings it is disclosed that the charge memo was served on the applicant on 29.3.94. He was required to submit his explanation to



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the charge memo. As the applicant failed to submit his explanation to charge memo a note was put up to the disciplinary authority. On 19.4.94 the applicant had not submitted his explanation to charge memo. Hence we find no irregularity in the disciplinary authority in appointing the Inquiry Officer. The disciplinary authority could have waited till the receipt of the explanation to the charge memo from the applicant but the applicant had not submitted the explanation in time.

14. The other contention of the applicant is that the Inquiry Officer fixed the date of Inquiry on 25.5.94. On that day, the applicant admitted the charge. His letter of admission is at page 18 of the inquiry file. On going through the letter of admission of the charge by the applicant we are not in a position to come to the conclusion that this letter of admission was produced by the inquiry officer by using pressure on the applicant. The main contention now urged by the applicant is that this letter of admission dt.25.5.94 was obtained by the Inquiry Officer by using pressure on him.

15. If that was so, as a man of ordinary prudence the applicant should have brought to the notice of the disciplinary authority immediately thereafter. The applicant has not done so. Further, on the basis of the letter of admission dt.25.5.94 the Inquiry Officer concluded the inquiry and submitted his report dt.7.6.94. Between 26.5.94 and 6.6.94 the applicant had not raised his little finger to his letter dt.25.5.94 and to submit that the Inquiry Officer had obtained the said letter of admission from him by using pressure.

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16. The report of the Inquiry Officer was served on the applicant on 11.8.94. The applicant has submitted his representation against the report of inquiry officer on 19.8.94. At-least this would have been the best opportunity for the applicant to question the letter of admission dt.25.5.94. His representation dt.19.8.94 is at page 38 of the inquiry file. We have gone through the representation of the applicant. Nowhere in the representation he submitted to the disciplinary authority that on 25.5.94 the Inquiry Officer obtained the letter from him admitting the misconduct alleged against him by using pressure.

17. The applicant is not a illiterate person or a low paid employee. The applicant was working as Tradesman 'D'. By his knowledge and experience we can know that he is quite capable of understanding the implications of giving a letter under pressure. The applicant has not explained any reasons for not bringing notice to the disciplinary authority after 25.5.94 or during the course of his submission of the representation dt.19.8.94 against the findings of the inquiry officer to the effect that this letter of admission dt.25.5.94 could not be relied upon and that the same was obtained by the Inquiry Officer by using pressure.

18. The disciplinary authority after considering the report of the Inquiry Officer and also the representation of the applicant by his proceedings dt.30.8.94 imposed the penalty as extracted above.

19. Against the imposition of the said penalty by the disciplinary authority, the applicant submitted the appeal



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dated 10.10.94. The memorandum of appeal is in the inquiry file. We have gone through the appeal memo. Even during the course course of questioning the punishment imposed by the disciplinary authority the applicant has nowhere stated that his admission of guilt of misconduct by letter dated 25.5.94 was obtained by the Inquiry Officer by using pressure on him.

20. The appellate authority by his proceedings letter dt. 28.2.95 confirmed the punishment and rejected the appeal.

21. Against the order passed by the appellate authority the applicant submitted a revision petition. Even in the revision petition the applicant had not challenged his letter of admission dt. 25.5.94.

22. The revisional authority by his proceedings dt.26.7.96 confirmed the punishment, however, modified the same.

23. It is for the first time in the OA the applicant raised the plea that his letter of admission dt. 25.5.94 was obtained by the Inquiry Officer by using pressure. We cannot accept the said contention raised for the first time before us.

24. Further on perusal of the enquiry file we noticed that the Inquiry Officer has not conducted the oral enquiry. In fact, the disciplinary authority appointed the Enquiry Officer even before the applicant could submit his explanation to the charge memo. Therefore, <sup>after</sup> the applicant had submitted his explanation to the charge memo.

25. The Inquiry Officer had fixed the inquiry on 25.5.94. On that day accepting the letter of admission of guilt by the applicant, the Inquiry Officer concluded the inquiry. It has to be noted that the misconduct alleged against the applicant was one of the unauthorised absence for a certain period. For that period the applicant had submitted the <sup>the</sup> certificates issued by <sup>A</sup>Medical authorities. Those certificates are detailed in Annexure to the charge memo.

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26. From the Inquiry File it is clear that the applicant was not given oral hearing. In a situation arising similar to this the Madras Bench of this Tribunal considered and held that concluding findings on the basis of the letter of admission on the date when fixed for the inquiry is not proper. Further, the Madras Bench of this Tribunal in the said case viz. T. Narayanan Vs. Deputy Chief Mechanical Engineer Carriage & Wagon Works, Madras & Ors (reported in 1999(2) Vol.27 ATJ 403) observed as follows :

"5. We have considered the arguments advanced by both the parties and gone through the records. We are of the view that no proper oral enquiry has been conducted by the respondents and contemplated under the Railway Servants (D&A) Rules, 1968 before removing the applicant from service. Under Rule 9(17) of the Railway Servants (D&A) Rules, 1968 the procedure has been laid down as follows :

Rule 9(17)

" on the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved, shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer, if any, and may be cross examined by or on behalf of the Railway Servant. The Presenting Officer, if any shall be entitled to re-examine the witnesses on any points on which they have been cross-examined, but not on any new matter without the leave of the Inquiry authority. The inquiring authority may also put such questions to the witnesses as it thinks fit."

In this case we see that this procedure has not been followed by the respondents. By no stretch of imagination we can come to the conclusion that the applicant has admitted the charge on the facts and circumstances of the case. In our view the enquiry Officer has put in questions to the applicant as if he is cross examining the applicant. In our view it cannot be done by an enquiry officer. The Departmental witness cited has not been examined. Even if the applicant has admitted the charge it is incumbent on the part of the respondents to prove the charge by placing a material before the enquiry officer and examine the witness on the side of their part. Just because the applicant has stated that he has stayed away the respondents have taken the view that the applicant has admitted the charge. The respondents have not taken note of the fact, that, he has been repeatedly stating max that he has sent three telegram and this we find the applicant has stated at the earlier point of time in his reply to the charge memo issued to him. In our view this is typical case where the rules contemplated under the Railway Servants (Disciplinary & Appeal) Rules, 1968 has not been followed and the applicant has been removed from service. In view of that all the orders impugned in this application

stands set aside and the application stands allowed. It is open to the respondents to start afresh an enquiry, if they want to pursue the matter further.

27. The Madras Bench of this Tribunal considered the case under the RS(DA) Rules, 1968. The rule similar to rule 9(17) of the rules, 1968 is available under Rule 14(14) of the CCS CCA Rules.

28. In that view of the matter, the observation made by the Madras Bench of this Tribunal is squarely applicable to the facts of the case. In our opinion the enquiry officer could not have concluded the enquiry only on the basis of the letter of admission dt. 25.5.94 though we have not accepted the contention raised by the applicant that the said letter dt. 25.5.94 was taken by the Inquiry Officer by pressure. We feel that the Inquiry Officer must have conducted the enquiry before submitting his report.

29. In that view of the matter, we feel that the impugned orders are not sustainable.

30. Hence, the O.A. is liable to be accepted.

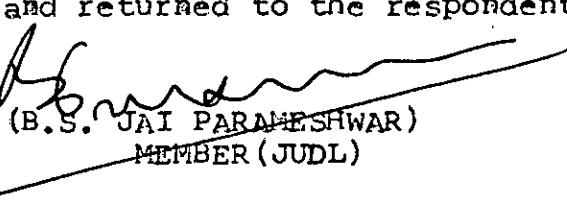
31. We issue the following directions :

(a) The impugned orders are hereby set aside.

(b) The respondents are at liberty to proceed further from the stage of considering the representation dt. 25.5.94 submitted by the applicant in answer to the charge memo.

32. The O.A. is ordered accordingly. No order as to costs.

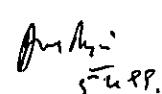
33. Enquiry records produced by the respondents are perused and returned to the respondents.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL)

  
(R. RANGARAJAN)  
MEMBER (ADMIN)

Dated, the 5<sup>th</sup> April, '99.

CS

  
Amulya  
5-4-99.

Copy to:

1. H.D.H.N.J

1st AND 2nd COURT

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

2. H.H.R.P. M.(A)

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH : HYDERABAD.

3. H.B.S.J.P. M.(J)

THE HON'BLE MR. JUSTICE D.H. NASIR:  
VICE - CHAIRMAN

4. D.R.(A)

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

5. SPARE

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

THE HON'BLE MR. B.S. JAI PARAMESWAR:  
MEMBER (J)

DATED:

5/4/99

ORDER/ JUDGEMENT

MA./RA./CP. NO.

IN

O.A. NO. 1630/97

ADMITTED AND INTERIM DIRECTIONS  
ISSUED.

ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/ REJECTED

NO ORDER AS TO COSTS

SRR

8 copies

केन्द्रीय प्रशासनिक आदाकरण Central Administrative Tribunal शेषण / DESPATCH
12 APR 1999
हैदराबाद न्यायपीठ HYDERABAD BENCH

Form No. 9.  
(See Rule 29)

BY.R.P.A.D.

CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD.  
1st Floor, HAC Bhavan, Govt:Public Garden, Hyderabad. 500004.A.P.

ORIGINAL APPLICATION NO. 1630 of 199 7.

Applicant(s) **G.S.Pillay**

v/s

Respondent(s)

Secy. to Govt. of India, Dept of Atomic Energy.  
CSM Marg, Mumbai & Ors.

By Advocate Shri:

**V.Venkateswara Rao**

(By/Central Govt. Standing Counsel)

To.

**Sri. V.Bhimanna, Addl. CGSC.**

- R-1. The Secretary to Govt of India, Dept of Atomic Energy, C.S.M Marg, Mumbai.
- R-2. The Chief Executive, Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post, Hyderabad.
- R-3. The Deputy Chief Executive(A), Nuclear Fuel Complex, Department of Atomic Energy, ECIL Post Hyderabad.

Whereas an application filed by the above named applicant under Section 19 of the Administrative Tribunal Act, 1985 as in the copy annexed hereunto has been registered and upon preliminary hearing the Tribunal has admitted the application.

Notice is hereby given to you that if you wish to contest the application, you may file your reply along with the document in support thereof and after serving copy of the same on the applicant or his legal practitioner within 30 days of receipt of the notice before this Tribunal, either in person or through a Legal practitioner/ Presenting Officer appointed by you in this behalf. In default, the said application may be heard and decided in your absence on or after that date without any further notice.

Issued under my hand and the seal of the Tribunal  
This the **Eleventh** . . . . day of . . . December, 1997.

//BY ORDER OF THE TRIBUNAL//

**18.12.97.**

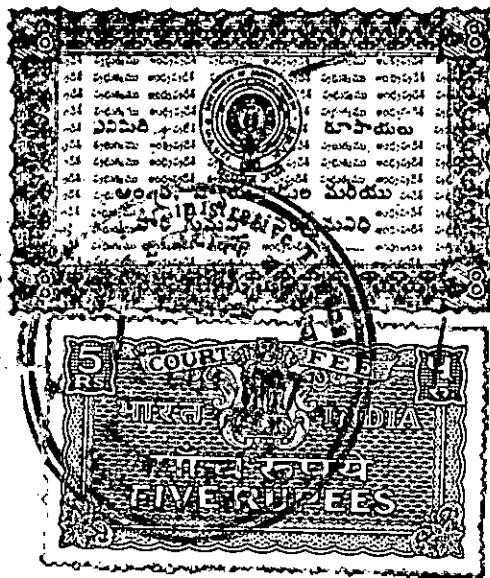
Date:

FOR REGISTRAR.



Q  
18/12/97

केन्द्रीय प्रशासनिक विधिकरण Central Administrative Tribunal DESPATCH
24 DEC 1997
हृतग्रन्थाद ध्यायकीठ HYDERABAD BENCH



S.R.No.

District

In the Central Administrative  
Tribunal at Hyderabad

O.A. No.

of 199

**VAKALAT**

**ACCEPTED**

*Wankidath*

*C*

Date .....199

**V. VENKATESWAR RAO**  
ADVOCATE

Applicant  
Counsel for Petitioner  
Respondent

Address for Service :

Phone : 7665481

**V. Venkateswar Rao,**  
Advocate  
1-8-430, Chikkadpally,  
Hyderabad - 500 020.

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**IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL AT HYDERABAD**

O.A. No. 1630 of 199

G. S. Pillay

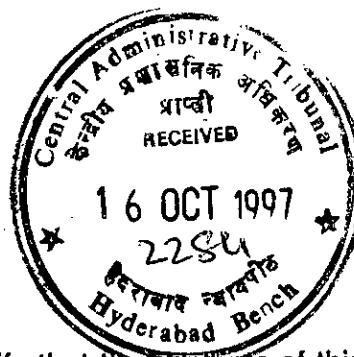
Applicant

The Secretary to Govt of Andhra and others VERSUS  
I/We Respondent

Applicant-Petitioner in the above Application/Petition do hereby appoint and retain  
Respondent

M/S V. VENKATESWAR RAO, <sup>Advocate</sup> ~~Advocate~~

Advocate/s of the Tribunal to appear for me/us in the above Application/Petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of my application connected with the same or any decree or order passed therein including all applications for return of documents or the receipt of any moneys that may be payable to me/us in the said Application/Petition and also to appear in all applications for leave to the Supreme Court of India and for review of judgement and to enter into compromise.



(G. S. PILLAY)

I Certify that the contents of this Vakalat were read out and explained in (.....) in my presence to the executant or executants who appeared perfectly to understand the same and made his/her/their signature or marks in my presence.

Executed before me this 27<sup>th</sup> day of July 1997

Z. R. S. *Omprakash*  
Advocate, Hyderabad.

In the CAT, HS  
O.A.no 1630 Q/77

Memo of Appearance

Filed by  
V. Bhimrao  
Asstt. C.S.C.



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD

AT HYDERABAD

BENCH

O.A. No. 1630 of 97

M.M.O. OF APPARANCE

Between :

G. S. Pillai

Applicant(s)

And

Secretary, Department of  
Atomic Energy, Mumbai  
and Ors.

Respondent(s)

To

The Registrar,  
Central Administrative Tribunal,  
Hyderabad Bench,  
HYDERABAD

Sir,

I, V. BHIMANNA, Advocate, having been authorised  
by the Central Government, notified under Section - 14 of  
the Administrative Tribunals Act 1985, hereby appear for the  
Respondents and undertake to plead and act for them in all  
matters in the above said case.

Hyderabad,

Dated : 22-4-98

Signature of the Counsel  
Addl. CGC/SC for Railways

Address of the Counsel :

203, Renuka Shakti Apartments,  
King Koti Road,  
Basheerbagh,  
HYDERABAD - 500 029

To condone the delay  
of 62 days in  
In the Central Administrative Tribunal  
Hyderabad Bench, Hyderabad.

M.A.NO.

OF 1997

in

O.A.S.R.NO.2284 OF 1997

Between:

G.S.Pillay

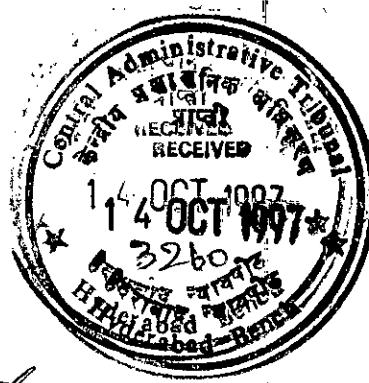
...Petitioner

and

The Secretary to Govt.,  
of India, Dept. of Atomic  
Energy, C.S.M Marg,  
Mumbai - 400 039.

and 2 others. ...Respondents

in Representation  
Can done delay Petition.



Revd  
B.S. Rao  
R. N. R. Devy

Filed by:

Sri. V. Venkateswar Rao  
K. Phaniraju,

Advocates

Counsel for the Applicant

May 2000  
2000  
2000

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

M.A.NO. 1130 OF 1997

in

O.A.SR.NO.2284 OF 1997

Between:

G.S.Pillay s/o.  
aged about years,Occ; Tradesman 'D',  
Nuclear Fuel Complex, Hyderabad,  
Resident of Hyderabad.

... Applicant

and

1. The Secretary to Govt. of India,  
Department of Atomic Energy,  
C.S.M Marg, Mumbai - 400 039.
2. The Chief Executive,  
Nuclear Fuel Complex,  
Dept. of Atomic Energy,  
ECIL Post, Hyderabad.
3. The Deputy Chief Executive (A),  
Nuclear Fuel Complex,  
Department of Atomic Energy,  
ECIL Post, Hyderabad.

... Respondents.

*No 5(4) 2 cental*  
Filed U/s. 8 (iii) of Administrative Tribunal *Rules 178*

For the reasons stated in the accompanying Affidavit,  
it is prayed that this Hon'ble Tribunal may be pleased to condone  
*of 62 days*  
the delay in resubmission of the above O.A. in the interest of  
Justice and pass any other order or orders as is deemed fit,  
proper, necessary and expedient in the circumstances of the case.

Hyderabad,

29 -9-1997.

*DR*  
Counsel for the Applicant

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

M.A.NO. 1130 OF 1997

in

O.A.SR.NO. 2284 OF 1997

Between:

G.S.Pillay

... Applicant

and

The Secretary to Govt. of India,  
Department of Atomic Energy,  
C.S.M Marg, Mumbai - 400 039,  
and 2 others.

... Respondents.

AFFIDAVIT

I, G.S.Pillay S/i. aged about years,  
Occup Tradesman-D, Nuclear Fuel Complex, Hyderabad, Resident of  
Hyderabad, do hereby solemnly and affirm and state as follows :

1. I am the applicant herein and as such I am well acquainted with the facts of the case.
2. The above O.A. filed by me was return on 29.7.1997 for compliance of objections. The same could not be resubmitted within the time granted as I went to my native place in Kerala for domestic reasons. After my return, the objections raised by the scrutiny was complied and the O.A. was resubmitted on 29.9.1997. There is a delay of 62 days in resubmission of the O.A. which is neither wilful nor deliberate and for the reasons stated above. If the delay in resubmission is not condones, I would suffer irreparable loss and damage.
3. Therefore it is prayed that this Hon'ble Tribunal may be pleased to condone the delay of 62 days in resubmission of the above O.A. in the interest of Justice and pass any other order or orders as is deemed fit, proper, necessary and expedient in the circumstances of the case.

Sworn and signed before me  
on this 20<sup>th</sup> day of September,  
1997 at Hyderabad.

  
(G.S. Pillay)

DEPONENT

Krishnamoorthy  
Advocate  
Hyderabad

पूल/ORIGINAL

भारत/GENERAL बैच केस/BENCH CASE

CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD.

M.A. NO. 1130/97 DASH 2284/97

8.7.97:

None for the  
applicant. Sri N. R. Basavaj  
for Respondents -  
notice in the M.A.  
Reply in three weeks

M.A. NO. 1130 OF 1997.

IN

D.A. NO. 2284 OF 1997

BS J.P.

4/15 RP

M. (J) 1

M. (J) 1

SOS

To condone delay of 62 days  
in representation.

12.8.97-

Mr. V. Venkateswara Rao,  
COUNSEL FOR THE APPLICANTS.

AND

Mr. Sr. ADDL. STANDING COUNSEL FOR  
C.G.Rlys.

81

~~Sent by~~

M.A-1130/97

The delay is

condoned

M.D. is allowed

~~16 BSSP~~

~~15 HRP~~

~~M(5)~~

~~M(A)~~

~~863~~