

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

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ORIGINAL-APPLICATION-NO.376-OF-1997

DATE-OF-ORDER:- 2nd-April, 1997

BETWEEN:

V.V.RAMANA REDDY

.. APPLICANT

AND

Union of India represented by:

1. The Chief General Manager,
Telecommunications, A.P. Telecom Circle,
Hyderabad,
2. The General Manager, Telecom,
Warangal,
3. The Telecom District Manager,
Karimnagar,
4. The Sub Divisional Officer,
Telecom, Karimnagar.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.KSR ANJANEYULU

COUNSEL FOR THE RESPONDENTS: Mr.NV RAGHAVAREDDY, ADDL.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

ORAL ORDER (PER HON'BLE SHRI B.S.JAI PARAMESHWAR,
MEMBER (JUDL.))

Heard Mr.K.S.R.Anjaneyulu, learned counsel for the applicant and Mr.W.Satyanarayana for Mr.N.V.Raghava Reddy, learned standing counsel for the respondents.

2. The case of the applicant is that he was initially appointed as Telecom Assistant from 10.4.80 in the office

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of the SDOT, Karimnagar, that he was selected and appointed as Cashier on tenure basis with a special pay of Rs.125/- per month effective from 4.9.90, that he was removed from the post of Cashier on 10.4.92 and was posted as Telecom Office Assistant in the office of the SDOT, Karimnagar. It is stated that on 22.8.92 he was served with article of charges under Rule 14 of the CCS (CCA) Rules, that the disciplinary authority appointed Mr.E.P.Krupachari as Inquiry Officer on 22.6.94, that subsequently for about one year and 9 months there was no progress in the inquiry, that thereafter another officer by name C.S.Balasubramanian was appointed as Inquiry Officer in place of Shri Krupachari and on 11.6.96 the Inquiry Officer issued notice posting the inquiry ~~on~~ 28.6.96, that since then there was no progress in the said disciplinary proceedings.

3. Shri Krupachari was appointed as Inquiry Officer by the order dated 22.6.94 and on the same date Shri SPR Krishnamurthy, Accounts Officer was appointed as Presenting Officer. Though both the Inquiry Officer and the Presenting Officers were appointed on 22.6.94, the Inquiry was not taken up but the Inquiry Officer was changed by the order dated 27.2.96 after a lapse of about 2 years. The first sitting of the inquiry was held on 28.6.96. Even on that date, ~~the date~~ it was informed that the date for regular hearing would be intimated to the applicant when the Presenting Officer is appointed by the Disciplinary Authority in ~~the~~ place of Shri Krishnamurthy. From the above, it is evident that the Presenting Officer posted by the order dated 22.6.94 was cancelled and a fresh Presenting Officer ^{was} ~~is~~ going to be posted. The above shows

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that the respondents are not trying to complete the inquiry in time and trying to prolong the inquiry without any ^{22.8.92} ~~any~~ ~~any~~ reason. The charge sheet was issued on ~~28.2.96~~. By now, about $4\frac{1}{2}$ years are over. The applicant cannot be allowed to remain to hang over for a number of years. Further it is submitted that the juniors to the applicant had already been promoted. In view of the above, we feel that the time taken in completing the inquiry is abnormal and such a situation cannot be allowed to continue. However, we do not also feel to quash the charge sheet at this juncture. A further opportunity may have to be given to the respondents to complete the inquiry so that the case can be finalised within a reasonable time. Under the above circumstances, we feel that a finality in this charge sheet is to be arrived at a very early date. As the Inquiry has already been started, it is possible to complete the inquiry and pass final order in this charge sheet within a period of six months from the date of receipt of a copy of this order.

4. In the result, the following direction is given:-

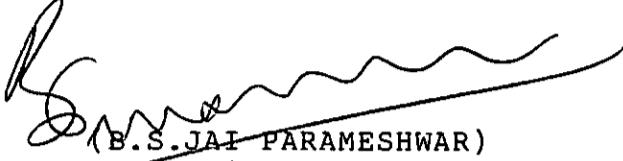
The inquiry proceedings including final disposal of the charge sheet should be completed within six months time from the date of receipt of the judgment. In case the proceedings are not completed as directed above then the charge sheet dated 22.8.92 stands cancelled.

5. We have no hesitation in saying that the applicant will fully cooperate in completing the inquiry.

JL



6. The OA is ordered accordingly at the admission stage itself. No order as to costs.


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

21/4/97


(R.RANGARAJAN)
MEMBER (ADMN.)

DATED:- 2nd April, - 1997
Dictated in the open court.

vsn


15-4-97
D.R.J

(37)

.S.I.

Copy to:

1. The Chief General Manager, Telecommunications, A.P.Telcom ECircle, Hyderabad.
2. The General Manager, Telecom, Warangal.
3. The Telecom District Manager, Karimnagar.
4. The Sub Divisional Officer, Telecom, Karimnagar.
5. One copy to Mr.MK.S.R.Anjaneyulu, Advocate, CAT, Hyderabad.
6. One copy to Mr.N.V.Raghavareddy, Addl.CGSC,CAT, Hyderabad.
7. One copy to D.R(A),CAT, Hyderabad.
8. One duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

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

AND

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

DATED: 24/4/87

ORDER/JUDGEMENT
R.A/C.P/M.A. No.

in

O.A. No. 376/87

ADMITTED INTERIM
ALLOWED
DISPOSED OF
DISMISSED
DISMISSED
ORDER
ND

YLKR

II COURT

केन्द्रीय प्रशासनिक अधिकार
Central Administrative Tribunal
DESPATCH

28 APR 1997

हृदयवाल प्रायोगिक
HYDERABAD BENCH