

33

TRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH AT HYDERABAD

O.A.NO. 845/97.

Date of Order: 1-9-97.

han Rao Patnaik.

.. Applicant.

and

1. The Senior Divisional Engineer(Co-Ord)
SE Rly, Sambalpur, Orissa.
2. The Assistant Engineer, SE Rly,
Kantabanji, Orissa.
3. The Senior Divisional Engineer, (Lines)
SE Rly, Waltair.
4. The Divisional Railway Manager, SE Rly,
Waltair.

.. Respondents.

For the Applicant: Mr.M.Kesava Rao Advocate.

For the Respondents: Mr. C.V.Malla Reddy, SC for Rlys.

COURT:

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

The Tribunal made the following Order:-

The respondents were granted time on two occasions to file their reply but they have failed to do so. In the meanwhile the applicant is complaining of acute distress on account of continuing financial problems. There seems to have been a delay of nearly seven years in finalising the disciplinary proceedings.

Respondent-1, Sr.Divisional Engineer(Co-ord), SE Rlys, Sambalpur, Orissa, shall appear in the Court on 22-9-97 to apprise this Court of the reasons for the seemingly inordinate delay in finalising the disciplinary proceedings and non-grant of DCRG in his case.

Amrit
Deputy Registrar(J)CC

O.A. 845/97.

To

1. The Senior Divisional Engineer (Co-ord)
SE Rly, Sambalpur, Orissa.
2. The Assistant Engineer, SE Rly,
Kantabanji, Orissa,-
3. The senior Divisional Engineer, (Lines)
SE Rly, Waltair.
4. The Divisional Railway Manager, SE Rly,
Waltair.
5. One copy to Mr. M. Kesava Rao, Advocate, C.A.T. Hyd.
6. One copy to Mr. C. V. Malla Reddy, SC for Rlys, C.A.T. Hyd.
7. One spare copy.

pvm.

Recd
I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE.
VICE-CHAIRMAN

And

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

DATED:- 1/9/97

ORDER/JUDGMENT

M.A.,/RA.,/C-A.No..

in

O.A.No.

845/97

T.A.No.

(W.P.)

Admitted and Interim directions issued.

Allowed

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected प्रशासनिक अधिकरण
No. order as *legal* Administrative Tribunal
RECEIPT/DESPATCH

- 8 SEP 1997

हैदराबाद न्यायालय
HYDERABAD BENCH

36

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A. No. 845 of 1997

Date of Decision:
4th November, 1997

BETWEEN:

P. Murali Mohan Rao Patnaik .. Applicant

AND

1. The Senior Divisional Engineer (Co-ord.)
S.E. Railway, Sambalpur, Orissa.

2. The Assistant Engineer,
S.E. Railway,
Kantabanji, Orissa.

3. The Senior Divisional Engineer, (Lines),
S.E. Railway, Waltair.

4. The Divisional Railway Manager,
S.E. Railway,
Waltair .. Respondents

Counsel for the Applicant: Mr. M. Keshava Rao

Counsel for the Respondents: Mr. C.V. Malla Reddy

CORAM:

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

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.) *8/11*)

Heard Mr. M. Kesava Rao, learned counsel for the applicant, and Mr. C. Venkata Malla Reddy, learned standing counsel for the respondents.

The applicant in this OA is aggrieved about non-finalisation of a disciplinary case initiated against him in August, 1990. As a consequence of the pendency of the case, his gratuity has been held up till now.

Mr. C.V. Malla Reddy, learned counsel for the Respondents, produces a letter from Senior Divisional Engineer (Coordination), S.E. Railway, Sambalpur, which shows that the D & A proceedings have been completed in all respects, (the charges are said to have been dropped)

and an amount of Rs.34,669/- has since been released to the applicant by way of gratuity.

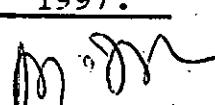
In view of this disclosure nothing more remains to be adjudicated in this case except the aspect of payment of interest on account of delayed payments. Inasmuch as the charges earlier levelled against the applicant are reported to have been dropped, it can be stated that the delay in disbursement of the due amounts to the applicant was not on account of his own actions or lapses but due to administrative reasons. In this view of the matter it seems both fair and logical that a reasonable amount as per the prescribed scale of interest is sanctioned to the applicant. The applicant may file a representation to the concerned authority in this regard within one month from today. The respondents, on receipt of such representation, shall examine the facts and admissibility of sanctioning prescribed interest on such delayed payments as per rules ^{prescribed, and} and latest scales ^{instructions} of the Government. This should be done within 60 days from the date of receipt of the applicant's representation.

Thus the O.A. is disposed of. No costs.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 4th November, 1997.

KSM


Deputy Registrar

O.A.845/97.

To

1. The Senior Divisional Engineer(Co-ord.)
SE Rly, Sambalpur, Orissa.
2. The Assistant Engineer,
SE Rly, Kantabanji, Orissa.
3. The Senior Divisional Engineer, (Lines),
SE Rly, Waltair.
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7. One copy to HHRP.M.(A) CAT.Hyd.
8. One copy to D.R.(A) CAT.Hyd.
9. One spare copy.

pvm

18/11/97

I Court.

TYPED BY:

CHECKED BY:

COMPARED BY:

APPROVED BY:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE.
VICE-CHAIRMAN

And

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

DATED:- 18/11/97.

ORDER/JUDGMENT

M.A.,/RA.,/C-A.No..

in

O.A.No. 845/97

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.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal

DESPATCH

17 NOV 1997

हैदराबाद न्यौयपीठ
HYDERABAD BENCH