

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

O.A.853/97.

Dt. of Decision : 26-11-97.

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B. Selemen

.. Applicant.

Vs

1. The Superintending Surveyor,
Incharge No.43 Party (SSEC),
Uppal, Hyderabad.

.. Respondents.

Counsel for the applicant : Mrs. S.Thripura Sundhari

Counsel for the respondents : Mr.N.R.Devaraj, Sr.CGSC.

CORAM:

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

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

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ORDER

ORAL ORDER (PER HON'BLE SHRI R. RANGARAJAN : MEMBER (ADMN.).

Heard Mr.Venkata Charry for Mrs.S.Thripura Sundari, learned counsel for the applicant and Mr.N.R.Devaraj, learned counsel for the respondents.

2. The applicant in this OA while working as Planetabler Grade-II under the respondent was issued with a memorandum No.C-30/4.A(B.Selomon)/43P dated 2nd July, 1997 (Annexure-II) for certain alleged dereliction of duty.

3. This OA is filed for setting aside the memorandum No.C-30/4.A(B.Selomon)/43P dated 2nd July, 1997.

4. The main contention of the applicant is that he has filed earlier OAs especially OA.No.105/97 and till such time that OA is disposed of and the direction complied with no charge sheet could be issued to him.

5. The learned counsel for the respondents submit that the applicant has not moved out to perform the survey/duty and that was treated as dereliction of duty and hence the memorandum has been issued. Hence the question of setting aside the memorandum does not arise and the applicant may reply to the memorandum issued under Rule 16 of CCS (CCA) Rule, 1965 and on the basis of it, the memorandum is disposed of in accordance with law.

6. We have heard both the sides. We do not consider it necessary to stop the proceedings initiated in connection with the impugned memorandum dt. 2-7-97. The only point for consideration is whether the punishment will have any bearing on the compliance of the direction given in OA.105/97 decided on 25-11-97 on the file of this Bench. In order to ensure that the applicant's case is also to be ^{impartially} considered ~~suitably~~, we feel that the final decision

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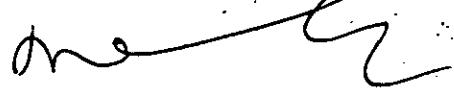
on the impugned memorandum No.C-30/4.A(Solomon)/43P dt. 2-7-97
(Annexure-II) should be issued to him only after the decision
is taken and conveyed ^{to} _{the direction given in} the applicant in OA.105/97 dt. 25-11-97.

8. In the result, the OA is disposed of with the above direction. No costs.



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

26.11.97



(R. RANGARAJAN)
MEMBER(ADMN.)

Amby
D.R.

Dated : The 26th Nov. 1997.
(Dictated in the Open Court)

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OA.853/97

Copy to:-

1. The Superintending Surveyor, Incharge No.43, Party (SSEC), Uppal, Hyderabad.
2. One copy to Mrs. S. Thripura Sundhari, Advocate, CAT, Hyd.
3. One copy to Mr. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
4. One copy to D.R.(A), CAT, Hyd.
5. One duplicate.

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND

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

Dated: 26/11/97

ORDER/JUDGMENT

M.A/R.A/C.A.NO.

in
D.A.NO. 853/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

