

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

45

ORIGINAL APPLICATION NO. 989/97

DATE OF ORDER : 12-09-1997.

Between :-

P.Sreemannarayana Murthy

... Applicant

And

1. The Director
Master Control Facility,
Indian Space Research Organisation,
Hassan - 573 201, Karnataka State.
2. The Chairman & Secretary,
SPACE Dept. ISRO Head Quarters,
New Bell Road, Bangalore.

... Respondents

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Counsel for the Applicant : Shri N.Venkata Rayudu

Counsel for the Respondents : Shri Kota Bhaskar Rao, CGSC

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CORAM:

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

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

(Order per Hon'ble Shri R.Rangarajan, Member (A)).

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(Order per Hon'ble Sri R.Rangarajan, Member (A)).

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Heard Mrs.B.Anuradha for Sri N.Venkata Rayudu, counsel for the applicant and Sri Kota Bhaskar Rao, standing counsel for the Respondents.

2. Though this OA is not listed for hearing today, it has come up for consideration with regard to the impleading petition in MA 854/97. The learned counsel for the applicant submits that the OA itself may be disposed of by directing the appellate authority to dispose of the applicants' representation dt.8-8-97, which is enclosed to the M.A. In view of that, this OA is also disposed of as follows :-

3. The applicant was removed from service by the Disciplinary Authority viz., ^{the} Respondent No.1 in this OA by the impugned order No.MCF:ADMN 19/02 dt.16-7-97 (Annexure A-1 to the OA). Without filing the appeal, the applicant had filed this OA and the OA was admitted on 14-8-97. After admission of the OA the applicant had filed an appeal to Respondent No.2 dt.8-8-97 and requests now to dispose of the ^{O.A.} ^{to the respondent No.2} appeal by giving a direction in this OA ^{in this OA} to decide the appeal in accordance with rules, on merits.

4. The O.A. is filed for setting aside the impugned order of Respondent No.1 dt.16-7-97 by holding it as illegal and contrary to law. The applicant while working as Scientific Engineer in Respondent No.1 organisation was removed from service by the impugned order referred to above. He has now filed an appeal to Respondent No.2 dt.8-8-97. As the applicant had already filed an appeal,

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it is proper to dispose of the OA with the following direction :-

The Respondent No.2 should dispose of ~~the~~ ^{his} appeal dt.8-8-97 after going through all the relevant records including the contentions raised in the appeal by a speaking order within three months from the date of receipt of a copy of this order without looking into the question & limitations, if any.

5. O.A. ordered accordingly. No order as to costs.

B. S. JAI PARAMESHWAR
(B. S. JAI PARAMESHWAR)
Member (J)
12.9.97

R. RANGARAJAN
(R. RANGARAJAN)
Member (A)

Dated: 12th September, 1997.
Dictated in Open Court.

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OA. No. 989/97

1. The Director,
Master Control Facility,
Indian Space Research Organisation,
Hassan - 573 201. Karnataka State.
2. The Chairman & Secretary,
SPACE Dept., ISRO Head Quarters,
New Bell Road, Bangalore.
3. One copy to Mr. N. Venkata Rayudu, Advocate, CAT., Hyd.
4. One copy to Mr. Kota Bhaskar Rao, CGSC, CAT., Hyd.
5. One copy to (D.R.(A))
6. One duplicate copy.

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25/9/97

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In the CAT, Hyd Bench,

The Hon'ble Shri R. Rangarej, M(A)

And

The Hon'ble Shri B. S. Joshi, M(A)

M(J)

dt 12/8/97

order/Judgement

~~not for circulation~~

OA no. 989/97

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Allowed.

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Disd.

