

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

CP 32/2000 in OA 1067/97

DATE OF ORDER : 29-5-2000

Between :-

G. Subba Rao

...Applicant/Petitioner

And

1. Union of India rep. by its General Manager, Rail Nilayam, SC Railway, Sec'bad.
2. Chief Engineer, Rail Nilayam, SC Railway, Sec'bad.
3. Divisional Railway Manager, Sanchalan Bhavan, Sec'bad Division, SC Railway, Sec'bad.
4. Sr. Divisional Engineer (Co-ordination), Sanchalan Bhavan, Sec'bad Division, SC Railway, Sec'bad.

...Respondents/Contemnors

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Counsel for the Applicant : Shri S. Ramakrishna Rao

Counsel for the Respondents : Shri K. Siva Reddy, sc for Rlys

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CORAM:

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

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

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

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

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Heard Sri S.Ramakrishna Rao, learned counsel for the applicant and Sri K.Siva Reddy, learned standing counsel for the Respondents.

2. The final direction in the OA reads as follows :-

- i) The order of the Disciplinary Authority bearing No.CW/3/W.II/DAR/G.S., dated 12.3.1996, the Appellate Authority Order bearing No.CW/3/W.II/DAR/GS, dated: 15-7-1996, and the Revision Authority Order dated 11-7-1997 are hereby set aside; and
- ii) The applicant should be reinstated in accordance with law. However, this reinstatement will not stand in the way of the respondents to proceed against the applicant from the stage of considering the report of the Enquiry Officer.

From the memorandum No.CW.13/W.II/DAR/GS (Annexure-II page-15 to ----), the applicant has been reinstated but kept under deemed suspension with effect from 12.3.1996. It is also stated that the applicant has to be paid subsistence allowance from 12.3.1996 following the rules. Hence we do not see any infringement of the direction given. However, the applicant contends that no subsistence allowance was paid to him. Sri K.Siva Reddy, learned standing counsel for the Respondents submits that it is under scrutiny and it will be paid in accordance with the law. Hence the CP is closed with a direction to the Respondents to ---- the applicant within a period of one month/ from the date of receipt of a copy of this order following the extant rules in preparing the

arrears sheet.

3. No order as to costs.

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(R. RANGARAJAN)
Member (A)

D. H. Nasir
(D. H. NASIR)
Vice-Chairman

Dated: 29th May, 2000.

Dictated in Open Court.

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D. H. Nasir