

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO.1095/97

DATE OF ORDER : 25-08-1997.

Between :-

Addanki Ramchandra Rao

... Applicant

And

1. The Union of India,
Rep. by Director General
Telecom, Sunder Bhavan,
New Delhi-110 001.
2. The Asst. General Manager (Admn),
O/o General Manager, Telecom Dist.,
Vijayawada - 520 010,
Krishna District.
3. The General Manager,
Telecom Dist. Vijayawada-520010,
Krishna District.
4. The Divisional Engineer,
Telecom, Machilipatnam,
Krishna District.

... Respondents

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Counsel for the Applicant : Shri G.Rajani

Counsel for the Respondents : Shri V.Rajeshwar Rao, CGSC

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CORAM:

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

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

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... 2.

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

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Heard Sri G.Rajani, counsel for the applicant and Shri V.Rajeshwar Rao, standing counsel for the respondents. Both sides agreed that this case may be disposed of by this Bench though the present Bench is a Single Member Bench.

2. The applicant was removed from service by impugned order No.X/ARR/88-96 dt.29-3-1996 (Annexure A-I page-16 to the OA). ^{which is challenged in this OA.}

It is stated that an enquiry was conducted and the copy of the Enquiry Report was also supplied to him. On the basis of the explanation submitted by him, the applicant was dismissed from service by the impugned order referred to above.

3. The applicant submits that the principles of natural justice was not followed in his case. In that proper opportunity was not

to defend his case given to him. Even witnesses who wanted the original documents before giving their statement was discharged without further hearing. Thus the applicant submits that the enquiry was done ^{injunctive} ~~prefatory~~ manner thereby giving no proper opportunity to the applicant to submit his case properly.

4. The applicant submitted an appeal to Respondent No.3 by his appeal dt.11-5-96 (Pages 48 to 50 Annexure A-V) stating that all the contentions raised in this O.A. It is stated that even though more than one year over, the appeal is not yet disposed-of.



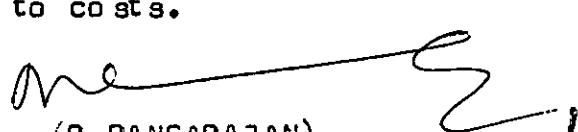
....3.

5. Aggrieved by the above, the applicant has filed this O.A. to set aside the impugned order dt.29-3-96 issued by Respondent No.2 and for a consequential direction to the respondents to re-instate the applicant in the post of Telecom Office Assistant and pay his salary from 29-3-1996 from which date he was dismissed from service in view of the impugned order.

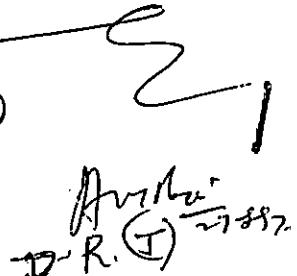
6. The applicant submits that in a similar case dismissal was set aside by this Tribunal in OA No.27/90 dt.21-8-91 and also OA 1130/92 dt.18-9-96 on the file of this Bench. He submits that as the prayer in this OA and the contentions are similar to the OAs referred to above, the present O.A. may be admitted and disposed of accordingly.

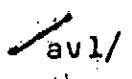
7. When an appeal is pending, it is preferable that the quasi-judicial authority should dispose of the same in accordance with the law. It is also in accordance with the C.A.T.(Procedure) Rules. Hence I feel it is proper to direct Respondent No.3 to dispose of the appeal dt.11-5-96 within a period of 3 months from the date of receipt of a copy of this order. If the applicant requests for a personal hearing, the same should be agreed to and the appeal should be disposed of after hearing the applicant only.

8. With the above direction, the O.A. is disposed of at the admission stage itself. No order as to costs.


(R. RANGARAJAN)
Member (A)

Dated: 25th August, 1997.
Dictated in Open Court.


D.R.T. 2787


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Copy to :-

1. The Director General Telecom, UOK ~~Wok~~ Sunder Bhavan, New Delhi
2. The Asst. General Manager (admh) O/General Manager, Telecom Dist.,
Vijayawada- 520010. Krishna Dist.
3. The General Manager Telecom Dist. Vijayawada- 520010 .Krishna Dist.
4. The Divisional Engineer, Telecom, Machilipatnam, Krishna Dist.
5. One Copy to Sri G.Rajani Advocate, CAT.Hyd.
6. One Copy to Mr. V.Rajeshwar Rao Addl CGSC. CAT.Hyd.
7. One Copy to ~~The~~D.R(A).
- 8 One Duplicate copy.

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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDRO, 3-D

THE HIMALAYA GIRI R.R. JARDAN : M (5)

THE HON'BLE SHRI B.S.S. I PARMEGHJI R.
(M) (J)

Dated: 25/8/87

~~CROER/JUDGEMENT~~

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

in

1095/87

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed For Default

Ordered/~~Rejected~~

No order as to costs.

YI KR

II Court

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal

29 AUG 1983

हैदराबाद न्यायपीठ HYDERABAD BENCH