

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

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OA No.138/97

Date of decision: 11.2.1997

BETWEEN:

B. Bhoopal Reddy

.. Applicant

AND

1. Union of India , Rep. by its
Secretary, Ministry of Home Affairs,
New Delhi.

2. The Joint Director,
Subsidiary Intelligence Bureau,
Tara Mandal Complex,
5-9-13, Saifabad,
Hyderabad-4.

3. The Assistant Director,
SIB- 5-9-13, Tara Mandal,
Saifabad,
Hyderabad.

.. Respondents

Counsel for the Applicant: Mr. K.K. Chakravarthy

Counsel for the respondents: Mr.V. Rajeswar Rao

CORAM:

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI: VICE CHAIRMAN

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

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ORDER

(PER HON'BLE MR. JUSTICE M.G. CHAUDHARI: VICE CHAIRMAN)


Heard Mr. K.K. Chakravarthi learned counsel for the applicant. Mr. Rajeswar Rao, Addl. standing counsel for the respondents.


The learned counsel submitted that although against the order of removal the applicant had submitted an appeal to the Joint Director on 2.8.1996 that has not so far been disposed of. The OA cannot be entertained till the appeal is disposed of. At this stage the learned additional standing counsel produces a sealed cover which purports to be sent by Registered post addressed to the applicant but was ~~not~~ returned undelivered to the office of the Dy. Director. It is stated by the learned standing counsel on instruction that this cover contained appellate order and the respondents are willing to deliver this packet to the applicant even now so as it amounts to service of appellate order. ~~K.K. Chaturvedi~~, ^{accept the same} The learned counsel for the applicant agrees to deliver. Hence the packet is delivered to Mr. K.K. Chakravarty. He has acknowledged its receipt on the cover. Mr. Chakravarthi is permitted to open the packet and inform us whether it contains the appellate order or not. Mr. Chakravarthi now states that the packet contained ^{the} order Dt.12/14-9-96 passed by the Dy. Director, SIB, dismissing the appeal Dt.2.8.96. The learned counsel therefore submits that he will seek withdrawal of the ^{present} ~~previous~~ OA and submit fresh OA challenging aforesaid appellate order.

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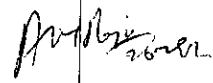
The OA is accordingly allowed to be withdrawn and with liberty to file fresh OA if so advised against the appellate order Dt.12/14.9.1996. It will be open to the applicant to challenge all orders presently challenged if necessary.


(H. RAJENDRAPRASAD)
MEMBER (ADMN.)


(M.G. CHAUDHARI)
VICE CHAIRMAN

Date: 11th February, 1997
Dictated in the open court

KSM


Deputy Registrar (D. C.)

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O.A. 138/97

To

1. The Secretary, Union of India,
Ministry of Home Affairs, New Delhi.
2. The Joint Director,
Subsidiary Intelligence Bureau,
Tara Mandal Complex, 5-9-13, Saifabad,
3. The Assistant Director, SIB 5-9-13, Tara Mandal,
Saifabad, Hyderabad.
4. One copy to Mr. K.K. Chakravarty, Advocate, CAT.Hyd.
5. One copy to Mr. V. Rajeswar Rao, Addl. CGSC. CAT.Hyd.
6. One copy to Library, CAT.Hyd.
7. One spare copy.
8. One copy to D.R. (A) CAT.Hyd.

pvm.

9/14/3/97

I COURT

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE M.G. CHAUDHARI
VICE-CHAIRMAN

AND

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

Dated: 11-2-1997

~~ORDER~~ / JUDGMENT

M.A./R.A/C.A. No.

in

O.A. No. 138/97

T.A. No. (W.P.)

~~Admitted and Interim Directions
issued.~~

~~Allowed to withdraw~~

~~Disposed of with directions~~

~~Dismissed.~~

~~Dismissed as withdrawn.~~

~~Dismissed for default.~~

~~Ordered/Rejected.~~

~~to order as to costs.~~

pvm.

