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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A. 1558/97.

Dt. of Decision : 25-11-97.

B. Murugesan

.. Applicant.

Vs

1. The General Manager, Telecom,
Hyderabad Area, Sec'bad.
2. The Chief General Manager,
Telecommunication, AP Circle,
Hyderabad.
3. The Chairman, Telecom Commission,
Sanchar Bhavan, New Delhi.
4. The Superintendent of Police, CBI,
Sultanbazar, Hyderabad.

.. Respondents.

Counsel for the applicant : Mr. K. Venkateswara Rao

Counsel for the respondents : Mr. V. Vinod Kumar, Addl. CGSC.

CORAM:

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

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

[Signature]

[Signature]

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ORDER

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

Heard Mr. K. Venkateswara Rao, learned counsel for the applicant and Mr. V. Vinod Kumar, learned counsel for the respondents.

2. The applicant in this OA was suspended by the impugned order No. CMT/WL/Disc/NZB/95-96/3 dt. 8-11-96 (Annexure-I).

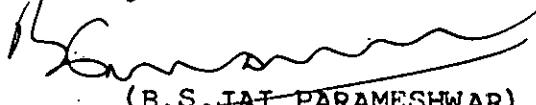
3. This OA is filed for setting aside the impugned order No. CMT/WL/Disc/NZB/95-96/3 dt. 8-11-96 (Annexure-I) issued by R-1 by holding it as arbitrary, discriminatory, unjust, and void, without jurisdiction and for a consequential declaration that the applicant is entitled to be treated on duty with effect from the date of suspension with all consequential benefits.

4. The applicant in this OA has submitted representation addressed to R-2 dt. 22-1-97 (Annexure-IV). It is stated that this representation is still to be disposed of.

5. The main contention of the applicant in this OA is that R-1 is not competent to issue the suspension order. Hence the suspension order is not valid in the eye of law. The applicant had already submitted a representation. If he has not taken the above contention in the representation he can now take that contention and with that he can approach R-2 requesting to revoke the suspension order. If the applicant requests for a personal hearing before R-2, he should be given such an opportunity to submit his case personally to R-2. In that event, if he has to leave headquarters he should be permitted to leave the headquarters to go ^{over} to Hyderabad to appear before R-2. If he does not require a personal interview with R-2 he may submit an additional representation addressed to R-2 within a period of 15 days from the date of receipt of this order.

6. Time for compliance is 3 months from the date of receipt of a copy of this order.

7. With the above direction the OA is disposed of at the admission stage itself. No costs.

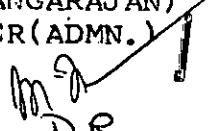

(B.S. JAI PARAMESHWAR)

MEMBER (JUDL.)

25.11.97

Dated : The 25th Nov. 1997.
(Dictated in the Open Court)


(R. RANGARAJAN)
MEMBER (ADMN.)


DR

Copy to:

1. The General Manager, Telecom., Hyderabad Area, Secunderabad.
2. The Chief General Manager, Telecommunication, A.P. Circle, Hyderabad.
3. The Chairman, Telecom Commission, Sanchar Bhavan, New Delhi.
4. The Superintendent of Police, CBI, Sultanbazar, Hyderabad.
5. One copy to Mr.K.Venkateswara Rao, Advocate, C.A.T. Hyderabad.
6. One copy to Mr.V.Vineet Kumar, Addl. CGSC, C.A.T. Hyderabad.
7. One copy to D.R.(Admn), C.A.T. Hyderabad.
8. One duplicate copy.

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3/12/97

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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: 25/11/97

ORDER/JUDGMENT

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

in

D.A.NO. 1558/97

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

