

(28)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH

AT HYDERABAD

OA.636/99

dt.29-4-99

Between

Smt. V. Rajeswari : Applicant

and

1. Chairman
Rly. Recruitment Board
18 Millers Road, Bangalore-46

2. Chairman,
RRB, IRISSET Complex, Tarnaka Road
Secunderabad 17

3. Divnl. Personnel Officer
SC Rly., Guntakal Divn.
Guntakal

4. Chief Workshop Manager
Carriage Workshop, SC Rly.
Lalaguda, Secunderabad

5. Chief Personnel Officer
SC Rly., Rail Nilayam
Secunderabad : Respondents

Counsel for the applicant : S. Ramakrishna Rao
Advocate

Counsel for the respondents : N.R. Devaraj
SC for Railways

Ceram

Hon. Mr. Justice DH Nasir, VC

Hon. Mr. H. Rajendra Prasad, M(A)

Order

Oral order (per Hon. Mr. Justice D.H. Nasir, VC)

Heard the learned counsel for the applicant as well as the learned Standing counsel for the respondents.

1. By an order dated 21-4-99 the appointment of the applicant stood terminated on the ground that she was not subjected to typewriting test which was an essential requirement apart from the fact that serious irregularities in the conduct of examination was detected by the CBI. It is further stated in the termination order that the Board after considering the matter in totality and taking into account the report of CBI and serious nature of irregularities in the conduct of selection had decided to cancel the entire panel.

2. Being aggrieved by the said order the applicant had come before this Tribunal seeking relief that she should be immediately reinstated as no show-cause-notice was served upon her and she was not called upon to justify giving her explanation with regard to the controversy lagging others appointments. The learned counsel for the respondents Mr. N.R. Devaraj has not disputed that the applicants services had been terminated without being giving notice.

3. In the above circumstances, we believe that it is that necessary in the interests of justice to direct the applicant

be immediately reinstated in service with full back wages in view of the fact that the principles of Natural Justice were totally overlooked.

4. Hence, this OA is disposed of with a direction to Respondent-4 to reinstate the applicant in service immediately without any loss of time.

5. It further appears that a cheque of Rs.6,490/- dated 21-4-99 towards payment of one months salary was issued. The applicant shall return the cheque of Rs.6,490/- to the fourth respondent forthwith.

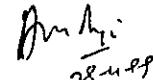
6. The respondents, however, shall be at liberty to proceed against the applicant if the situation so warrants after ^{provided by the} following the procedure of law and rules as is done in other cases.

7. The OA is disposed of accordingly.


(H. Rajendra Prasad)
Member (Admn.)


(D.H. Nasir)
Vice Chairman

Dated : April 29, 99
Dictated in Open Court


D.H. Nasir
28/4/99

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Copy to:

1. HONORABLE
2. HNRP M(A)
3. HNRP M(J)
4. D.R. (A)
5. SPARE

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1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL :
HYDERABAD BENCH : HYDERABAD.

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

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

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

THE HON'BLE MR. S. S. JAI PARAMESWAR
MEMBER (J)

DATED: 29.4.99

ORDER/ JUDGEMENT

MA./RA./CP.No.

IN

O.A. NO. 636(99)

~~ADMITTED AND INTERIM DIRECTIONS~~
ISSUED.

~~ALLOWED~~

~~DISPENSED OF WITH DIRECTIONS~~

~~DISMISSED~~

~~DISMISSED AS WITHDRAWN~~

~~ORDERED/ REJECTED~~

~~NO ORDER AS TO COSTS~~

SRR

(10 copies)

केन्द्रीय प्रशासनिक विधिकरण
Central Administrative Tribunal
शेषण / DESPATCH

- 6 MAY 1999

हैदराबाद आयोगी
HYDERABAD BENCH