

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD

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O.A.No.1217/99.

Dt. Of Decision : 23-08-99.

K.Ramakrishna

.. Applicant.

Vs

1. The Union of India, rep. by its Secretary, Min. of Agriculture, New Delhi.
2. The National Research Centre for Ground Nut, rep. by its Director, Ivanagar Road, Jungada, Gujarat.
3. The Chief Scientist, Agricultural Research Station, Acharya N.G.Ranga Agricultural University, DCMS Building, Kamalanagar, Anantapur.

.. Respondents.

Counsel for the applicant : Mr.P.N.Sanghi

Counsel for the respondents : Mr.K.Phaniraj, Addl.CGSC.

CORAM:-

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

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

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ORDER

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

Heard Mr.P.N.Sanghi, learned counsel for the applicant and Mr.K.Phaniraj, learned counsel for the respondents.

2. The applicant in this OA was appointed temporarily by memo No.UNDP/96-Estt.1275 dated 1-9-97 (Annexure-I) as Research Associate in the pay scale of Rs.3300-3800/- under the UNDP funded project entitled "Promoting Groundnut as Food Crop for Sustained Nutritional Security". The services of the applicant was sought to be terminated by issuing a month's notice by the impugned memo No.F/870/RA/96 dated 24-07-99 (Annexure-VI).

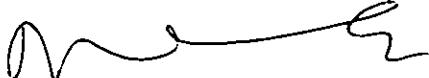


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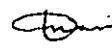
3. This OA is filed to set aside the impugned notice dated 24-07-99 treating it as bias, malafide, arbitrary and also on the ground that the Chief Scientist, who issued the memo dated 24-07-99 is not competent to terminate the services of the applicant.

4. The notice asking for explanation from the applicant dated 24-07-99 cannot be treated as a termination order. It is only a notice and the applicant is at liberty, if so advised, to submit his explanation to the impugned notice issued to him dated 24-07-99. In that view, we do not see that the Chief Scientist is incompetent to issue such a notice. However, if the services of the applicant are to be terminated after perusing his explanation to be given to the impugned notice dated 24-07-99, that termination order should be issued only by the competent authority who is competent to terminate the services of the applicant. The services of the applicant should not be terminated until a final decision is taken in pursuance of the above direction by the competent authority.

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



(R. RANGARAJAN)  
MEMBER(ADMIN.)



(D.H. NASIR)  
VICE CHAIRMAN

Dated : The 23<sup>rd</sup> August, 1999  
(Dictated in the Open Court)

SPR

c.c. today

1ST AND II nd COURT

COPY TO:-

1. H.D.H.N.J.
2. H.R.R.N.M. (A)
3. H.B.S.J.P.M. (J)
4. D.R. (A)
5. SPARE.
6. ADVOCATE
7. STANDING COUNSEL

TYPED BY  
COMPARED BY

CHECKED BY  
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH, HYDERABAD.

27/8/99

THE HON'BLE MR. JUSTICE D.H. NASIR

VICE - CHAIRMAN

THE HON'BLE MR.R. RANGARAJAN

MEMBER ( ADMN )

THE HON'BLE MR.B.S. JAI PARAMESHWAR

MEMBER ( JUDL )

\*\*\*

ORDER DATE: 23/8/99

MA/R.A/CP.NO

IN

OS. NO. 1217199

ADMITTED AND INTERIM DIRECTIONS  
ISSUED

ALLOWED

C.P. CLOSED

R.A. CLOSED

O.A. CLOSED

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

D. / w A copy  
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केन्द्रीय प्रशासनिक अधिकरण  
Central Administrative Tribunal  
शेषण / DESPATCH

26 AUG 1999

हैदराबाद ध्यायवीक्षण  
HYDERABAD BENCH