

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:

AT HYDERABAD

O.A.No.1236 of 1999.

DATE OF ORDER:31-12-1999.

Between:

P.S.Gururaja.

...Applicant

a n d

1. The Chairman, Railway Board, Rail Bhavan, New Delhi.
2. The General Manager, S.C.Railway, Secunderabad.
3. Sr.Divl.Personnel Officer, Divisional office, S.C.Railway,Guntakal.
4. Sr.Divl.Engineer (Co-ord), S.C.Railway, Divisional office Guntakal.

...Respondents

COUNSEL FOR THE APPLICANT :: Mr.N.Rammohan Rao

COUNSEL FOR THE RESPONDENTS: Mr.N.R.Devaraj

CORAM:

THE HON'BLE SRI JUSTICE D.H.NASIR, VICE CHAIRMAN

THE HON'BLE SRI R.RANGARAJAN, MEMBER (ADMN.)

: O R D E R :

ORAL ORDER (PER HON'BLE SRI R.RANGARAJAN, MEMBER (A))

Heard Mr.Siva for Mr.N.Rammohan Rao, learned Counsel for the Applicant and none for the Respondents.

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2. This OA is filed for setting aside the impugned Order No.G/P.563/Con/RRB/SBC/Clerks/99, dated 21-8-1999, (Annexure-13, page 23 to the OA), whereby the services of the applicant was sought to be terminated on the basis of the show cause notice issued by Memo.G/P.563/Con/RRB/SBC/Clerks/1999, dated 21-4-1999, (Annexure-11, page 18 to the OA). However, by an Interim Order dated 25-8-1999, Status-quo ^{as on that} ~~as on~~ date was ordered. However, before issue of the Status-quo Order, the services of the applicant had been terminated. Hence, the applicant is not in service as on date.

3. In this OA the impugned show cause notice is a serio-type ^d xerox ^{copy} ~~and~~. The imputation of charge is contained in Para.2 of the show cause notice. That charge is reproduced below:-

"Now it has come to the notice of Railway Board that RRB/Bangalore has not subjected the candidates to typewriting test which was an essential requirement, besides there being certain serious irregularities in the conduct of examination. The Railway Board after considering the matter in totality and taking into account the report of CBI and serious nature of irregularities in conduct of selection, have decided to cancel the entire panel and to terminate the services of all the candidates appointed on South Central Railway by giving due notice as per rules."

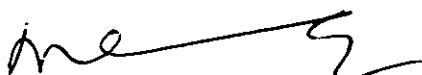
4. The contentions raised in this OA have been examined in detail in ^OA.No.1265 of 1999, disposed of on 15-12-1999. The directions given in that OA equally


holds good in this OA also. Hence, the following Order is given:-

"The impugned termination Order No.G/P.563/Con/RRB/SBC/Clerks/99, dated 21-8-1999 is hereby set aside. However, the respondents are at liberty to issue a fresh show cause notice indicating the irregularities noticed in the selection and also any other irregularities which need to be brought to the notice of the applicant herein. The applicant, if he receives such a notice, should reply the same within a period of 45 days from the date of receipt of that notice. On that basis a final decision has to be taken by the respondent-authorities in regard to the termination of the services of the applicant.

The applicant ~~should~~ be reinstated back into service, but the period from the date of termination till he is reinstated should be treated as leave due to him."

5. The OA is ordered accordingly. No costs.



(R.RANGARAJAN)
MEMBER (ADMN.)


(D.H.NASIR)
VICE CHAIRMAN

DATED: this the 31st day of December, 1999

Dictated in the Open Court

DSN


7-1-2000