

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

ORIGINAL APPLICATION NO. 469/99

DATE OF ORDER : 25.03.1999

Between :-

B.Srinivas

... Applicant
And

1. The Sub Divisional Engineer (Groups),
Madhurawada, Visakhapatnam - 530 041.
2. The General Manager, Telecom District,
Visakhapatnam - 530 002.
3. The Chief General Manager, Tele-communications,
Department of Telecommunications, Door Sanchar
Bhavan, Hyderabad - 1.

... Respondents

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Counsel for the Applicant : Smt.N(P)Anjana Devi

Counsel for the Respondents : Shri B.N.Sarma, Sr.CGSC

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CORAM:

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

(Per Hon'ble Justice Shri D.H.Nasir, Vice-Chairman).

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... 2.

O R D E R

(Per Hon'ble Justice Shri D.H.Nasir, Vice-Chairman).

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Heard the learned counsel for the applicant and Sri B.N.Sarma, learned senior standing counsel for the Respondents.

2. It appears that a notice of retrenchment dated 3.3.1999 has been served upon the applicant Mr.B.Srinivas who is working as casual mazdoor in the ~~above~~ office of Sub Divisional Engineer, Madhurawada, Visakhapatnam. One of the reasons cited in the retrenchment ^{notice} dated 3.3.1999 is as follows :-

"It is alleged that the working days prior to 22.6.1999 submitted by Sri B.Srinivas and said to have been worked by the said B.Srinivas in the Sub-Division of SDOT, Anakapalle is found to be ingenuine as per AO(Plg) o/o GMTD VM Lr.No.WA/Plg/MR-Vin/ 96-98/43 dated 26.8.97. Therefore, Sri B.Srinivas S/o B.Appa Rao (Late) willfully cheated the Department by submitting ingenuine days to gain employment."

It becomes evident from the above that an allegation has been made against the applicant that he resorted to ingenuine means as per AP(Plg) o/o GMTD VM Lr.No.WA/Plg/MR-Vin/96-98/43 dated 26.8.97 and thereby willfully cheated the Department by submitting ingenuine days to gain employment.

3. If this is real ground for retrenchment, it is necessary that a show cause notice should be served upon the applicant and thereafter the procedure for redressal of grievances be followed scrupulously and only thereafter if the allegations made ag inst the applicant is prooved, necessary action

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can be taken in accordance with the law.

4. Till such decision is taken, the position which the applicant acquires today shall not be disturbed.

5. O.A. Disposed of accordingly. No order as to costs.

D.H.NASIR
(D.H.NASIR)
Vice-Chairman

D.H.NASIR
Dated: 25th March, 1999.

Dictated in Open Court.

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Copy to:

1. HODHO ✓
2. HHRD M(A)
3. HSSDP M(J)
4. D.R. (A) ✓
5. SPARE ✓

1ST AND 2ND COURT

TYPEDE 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. B. S. JAI PARAMESWARI
MEMBER (A) ✓

DATED: 25-3-99

ORDER/JUDGEMENT

MA./RA./CP. NO.

IN

O.A. NO. 469/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED ✓

DISPOSED OF WITH DIRECTIONS

DISMISSED

DISMISSED AS WITHDRAWN

ORDERED/REJECTED

NO ORDER AS TO COSTS

SRR

(8 Copies)

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
प्रेषण / DESPATCH

30 MAR 1999

हैदराबाद न्यायपीट
HYDERABAD BENCH