

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/01281/2018

DATED THIS THE 22nd DAY OF OCTOBER, 2019

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV.SANKAR MEMBER (A)

Sri S.R. Kiran Rao
S/o Late Shivaji Rao Mane
No. 455,
Barger Beedi,
1 st Street,
H L K Road,
Chitradurga – 567 501

.....Applicant

(By Shri H. Basavaraj, Agent)

Vs.

1.The Senior Director,
Prasara Bharati,
Broadcasting Corporation of India,
Doordarshan Kendra,
J C Nagar,
Bangalore – 560 006

2.The Additional Director
General (SZ) (DD),
Prasara Bharati,
Broadcasting Corporation of India,
Doordarshan Kendra,
J C Nagar,
Bangalore – 560 006

3.The Director General,
Dooradarshan,
Dooradarshan Bhavan,
No. 1, Copernicus Marg,
New Delhi – 110 001

...Respondents

(By Shri M.V.Rao, Senior Panel Counsel)

ORDER (ORAL)HON'BLE DR K.B.SURESH, MEMBER (J)

1. Heard. We have Shri Basavaraj who represents the applicant before us. We had agreed to hear him on his complying with requirement of CPC and the ground taken is that for a period after 2008 the concerned applicant was not fully in his senses and therefore, the punishment imposed on him is unjust, the period taken also should be condoned in the mean while.
2. Shri M.V.Rao, learned Senior Panel Counsel submits that the applicant had been removed from service for continued unauthorized absence from 2008 onwards and despite continual reminders being sent to him and telegram being sent to him, he was not responding. Shri Basavaraj submits that during this period that he was not in his correct senses and therefore, he was not able to appreciate what was happening around him. He has produced some medical records which indicate that in March 2008 he had a brief stay in a hospital at Chitradurga when he complained of giddiness, palpitation and vomiting and medicines appropriate to these symptoms only had been given to the applicant. The case of Shri Basavaraj is that applicant had thereafter suffered a loss of senses, in that he was even unable to recognize persons around him. He would say that now the applicant is perfectly alright. So we had asked him whether he has any medical records to prove the interregna which will enable us

to consider this period. But, he would say that in fact the applicant was taken to various temples and not to any hospital or any medical advise and at this point he would say that some ayurvedic medicines were also given to him which we asked him to identify which he is unable to do so. Earlier itself we had given him a chance for an adjournment to study the matter, but, he was not ready to take that opportunity. Therefore, we find that he had not explained this interregna of 2008 to 2018. Therefore, on the question of limitation alone the matter would fail, as no ground at all has been expressed to condone any delay, even if, there is no specific application for condonation. Therefore, the OA fails and dismissed.

3. The Registry is directed to return the security submitted by Shri Basavaraj today itself. OA, therefore, dismissed. No order as to costs.

(CV.SANKAR)
MEMBER (A)

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(DR. K.B. SURESH)
MEMBER (J)

Annexures referred to by the applicant in OA.No.1281/2018

Annexure A1 Copy of the order of Respondent No. 1 dated 02.12.2008
Annexure A2 Copy of the order of Respondent No. 2 dated 19.10.2017
Annexure A3 Copy of the leave record of the applicant

Annexure A4 Copy of the medical records of the applicant

Annexure A5 Copy of the charge sheet dated 28.08.2008

Annexure A6 Copy of the office note from 20.09.2007 to 26.11.2008
Annexure A7 Copy of the appeal dated 14.08.2017

Annexure A8 Copy of the letter dated 15.03.2018 of ALC, Bangalore *

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