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Central Administrative Tribunal  
Principal Bench, New Delhi

O.A.No.1680/2002

M.A.No.1726/2002

Hon'ble Shri Justice Ashok Agarwal, Chairman  
Hon'ble Shri S.A.T. Rizvi, Member (A)

Tuesday, this the 20th day of August, 2002

*Late*  
Rajeev Pathak s/o Shri R.S. Pathak  
aged about 47 years  
resident of 143, Sector-7, Urban Estate  
Karnal, Haryana.

(Applicant in person)

..Applicant

Versus

1. Union of India through the Secretary to the  
Govt. of India,  
Ministry of Finance, New Delhi
2. Narcotics Commissioner of India  
19, the Mall, Morar, Gwalior (MP)
3. The Deputy Narcotics Commissioner (Hqrs.)  
19, the Mall, Morar, Gwalior (MP)

.. Respondents

O R D E R (ORAL)

Shri S.A.T. Rizvi:

Prayer made in the present MA for setting aside the order of 8.7.2002 dismissing the OA-1680/02 for default and non-prosecution is granted and the aforesaid OA is restored to its original number.


2. On the charge of unauthorized absence from duty, in departmental proceedings conducted on ex-parte basis, the applicant has been dismissed from service vide orders passed by the disciplinary authority on 28.7.1993 (A-3). When carried in appeal, the same have been affirmed by the appellate authority in its order of 2.5.2001 (page 6 of the paper book). The order passed by the appellate authority itself clarifies that the applicant could file a petition against the orders passed by
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the appellate authority within six months. In pursuance of the same, the applicant has filed a petition before the Member (P&V), Central Board of Excise and Customs, New Delhi on 12.12.2001 (P-11). The aforesaid petition is still pending disposal despite a lapse of more than eight months since it was filed. The applicant in person appearing before us seeks a direction to the Member (P&V) to consider the aforesaid petition and to pass a reasoned and a speaking order thereon expeditiously.

3. Having regard to the aforestated submissions made by the applicant in person, we are inclined to dispose of the present OA, <sup>already</sup> ~~on its~~ restored to original number, with a direction to the Member (P&V) to consider the aforesaid petition and dispose of the same by passing a reasoned and a speaking order within a period of three months from the date of receipt of a copy of this order. We direct accordingly.

4. The present OA is disposed of in the aforestated terms.

  
(S. A. T. RIZVI)  
MEMBER (A)

  
(ASHOK AGARWAL)  
CHAIRMAN

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