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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.840/2002

Monday, this the 1st day of April, 2002

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

Majeti Shankar Kumar
Upper Division Clerk
S/O Majeti Radha Krishna Murthy
Department of Science and Technology
Ministry of Science and Technology
Technology Bhawan
New Mehrauli Road
New Delhi-16

(Applicant in person)

Applicant

Versus

1. Union of India
through Secretary
Department of Science and Technology
Ministry of Science and Technology
Technology Bhawan
New Mehrauli Road
New Delhi-16
2. The Chief Vigilance Commissioner
Central Vigilance Commission
Satkarta Bhavan
Near INA Market
New Delhi-22

Respondents

O.R.D.E.R.(ORAL)

Hon'ble Shri S.A.T. Rizvi, M (A):

The applicant, who is a UDC in the Department of Science & Technology (DST), has been served a charge-sheet containing three articles of charge which, inter alia, relate to the setting up of a Non-Government Organization (NGO) named Sakthi Society for Rural and Urban Development (SSRUD) without obtaining prior sanction of the competent authority. The inquiry authority appointed by the respondents has held all the charges as fully established. A copy of the aforesaid report/finding has been served on the applicant. He has not submitted any reply to the respondents so far,

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however, and has chosen to come up before us with a prayer for quashing and setting aside the disciplinary proceedings. Earlier the applicant had filed OA-1690/2001 in the same case after the service of the charge-sheet on him. That OA was decided on 13.7.2001 by holding as follows:-

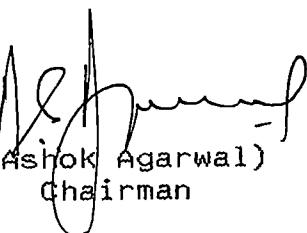
"Present OA has been filed at an interlocutory stage when merely a chargesheet has been served upon the applicant in disciplinary proceedings initiated against him. We are not inclined to interfere at this interlocutory stage..."

2. The only change that has taken place thereafter is that the inquiry authority appointed by the respondents has submitted his findings, a copy of which has been served on the applicant. The applicant, who has appeared before us in person, is now at liberty to submit his reply to the respondents to enable the disciplinary authority to decide the matter. Thereafter, if necessary, he will have the liberty in accordance with the rules to approach the departmental appellate authority. If he is still aggrieved in the matter, he can always come up before this Tribunal. However, as stated, that stage will come only after the departmental appellate authority has decided the matter one way or the other. In the circumstances outlined above, we are not inclined to interfere in this case at an interlocutory stage. Accordingly, the OA is dismissed in limine.

Issue Dasti.


(S.A.T. Rizvi)
Member (A)

/sunil/


(Ashok Agarwal)
Chairman