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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.R.Adige, Vice-Chairman (A)

O.A.No.649/2002

New Delhi, this the 7th day of March, 2002

Sh. H.C.Kapoor
s/o Late Sh. Pishori Lal
r/o 214, Gobind Appartments
Vasundhara Enclave
Delhi.
And working as Superintendent,
Central Excise
New Delhi in CGO Complex
Iodhi Road
New Delhi. ... Applicant
(By Advocate: Shri S.S.Tiwari) Vs.

1. Union of India through
Secretary
M/o Finance (Deptt. of Revenue)
North Block
New Delhi.
2. The Chairman
Central Board of Excise & Customs
North Block
New Delhi.
3. The Commissioner of Central Excise
Central Excise Commissionerate
C.R.Building
New Delhi.
4. The Commissioner of Customs (General)
New Customs House
New Delhi. ... Respondents

O R D E R(Oral)

Justice Ashok Agarwal:

Applicant, who is a Superintendent in Central Excise, by the present OA impugns a charge-sheet issued to him on 22.12.1997 initiating disciplinary proceedings against him. The charge framed against him relates to his being unauthorizedly in possession of 41 Shipping Bills of Ball Point Pens, involving huge amount of Drawback filed by M/s Enkay Exports and to his having falsely certified having seen representative sample of Shipping Bill No.169316 dated 9.9.1996 on 9.9.1996 whereas as per records the shipment had

Ref

72


actually entered the Air Cargo Complex on 11.9.1996.

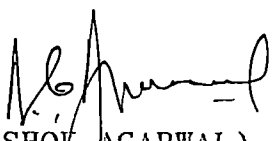
2. On being served the aforesaid charge-sheet, the applicant has submitted his reply on 6.1.1998. Inquiry Officer was appointed on 5.3.1998 who in turn on 2.7.1998 called upon the Presenting Officer to submit the original documents. It is the grievance of the applicant that no effective steps have been taken in the conduct of the inquiry after the aforesaid date and a fresh Inquiry Officer has been appointed on 1.11.2000.

3. Shri S.S.Tiwari, learned counsel appearing in support to the OA has strenuously submitted that aforesaid charge-sheet deserves to be quashed and set-aside on the ground of undue and unexplained delay in the conduct of the inquiry.

4. We have perused the instant proceedings and we find that no case whatsoever has been made out to quash and set-aside the charge-sheet as prayed. We, however, find that interests of justice would be duly met by disposing of the present OA, at this stage itself, with a direction to the respondents to expedite the conduct of the disciplinary proceedings ^{ed} ~~initiating~~ against the applicant and conduct the same as far as possible on day to day basis and conclude the same within a period of six months from the date of service of a copy of this order. We direct accordingly.

5. Present OA is disposed of ⁱⁿ ~~with~~ the aforesaid terms.


(S. R. ADIGE)
VICE-CHAIRMAN(A)


(ASHOK AGARWAL)
CHAIRMAN