

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.132/2002 in
OA No.174/2002

New Delhi this the 29th day of May, 2002.

HON'BLE MR. SHANKER RAJU, MEMBER (JUDICIAL)
HON'BLE MR. S.K. AGRAWAL, MEMBER (ADMNV)

Union of India & Others

-Applicants

-Versus-

Nandoo Yadav & Others

-Respondents

O R D E R (By Circulation)

Mr. Shanker Raju, Member (J):

By an order dated 24.4.2002, directions have been issued to respondent No.1 on the analogy that he is the highest authority in the department to dispose of the representation of the original applicants for change of inquiry officer and to pass a detailed and speaking order.

2. Respondents have filed this RA, stating that the directions have been issued to the respondents to get the representation considered and disposed of by an authority higher than DDGMF. As the respondents were not aware at the time of hearing that there are several other higher authorities above DDGMF, i.e., Quarter Master General, Vice Chief of Army Staff and Chief of Army Staff, Quarter Master General being the next higher authority over DDGMF and who acts as an appellate authority for all Group 'D' staff in matters of discipline, matter may be reviewed and may be modified to the extent that the representation be disposed of by Quarter Master General, Army Headquarters, New Delhi. In the interest of justice and having regard to the law laid down, we modify the order under review, dated 24.4.2002, by directing the Quarter Master General, though not a party in the present OA, to decide the representation of the applicants for change of

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inquiry officer, within a period of one month from the date of receipt of a copy of this order, by passing a detailed and speaking order. However, this decision shall not bestow upon applicants a fresh cause of action and thereafter they have to cooperate in the disciplinary proceeding its expeditious disposal.



(S.K. Agrawal)
Member(A)

'San.'



(Shanker Raju)
Member(J)