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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-1/2001

New Delhi this the 31st day of July, 2001.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

Dr. M.S. Prasad,
S/o Sh. Ramji Prasad,
R/o F-156, Ashirwad Apartments,
Dilshad Colony,
Delhi-95. Applicant
(through Ms. S. Chaudhary, proxy for Sh. D.S. Chaudhary,
Advocate)

versus

1. Union of India through
the Secretary,
Ministry of Health & Family Welfare,
Dept. of Health,
Nirman Bhawan,
New Delhi-11.
2. Sh. N.M. Perumal,
Dy. Secretary to the
Govt. of India,
Ministry of Health & Family
Welfare, Deptt. of Health,
Nirman Bhawan,
New Delhi-11.
3. Ms. Shoba Koshy, IAS,
Directorate General of Health
Services, Nirman Bhawan,
New Delhi-11. Respondents

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

Heard both sides.

2. Although the Tribunal in its order dated 10.04.2000 in OA-548/2000 filed by applicant earlier had directed respondents to complete the disciplinary enquiry pending against him within six months from the date of service of the aforesaid order, respondents have not done

so. We are informed that the enquiry officer has submitted his report on 17.05.2001, and a copy of the same has been given to the applicant on 18.05.2001 for representation, if any.

3. While it is unfortunate that respondents did not conclude the enquiry within the period of time allowed, this by itself is not sufficient justification to quash the disciplinary proceedings pending against the applicant, particularly in the light of the Hon'ble Supreme Court's judgement in the case of Secretary to Government, Prohibition & Excise Department Vs. L. Srinivasan (1996(1)ATJ 617).

4. In the light of the above, this OA is disposed of with a direction that in the event the applicant submits his representation on the findings of the Enquiry Officer, within two weeks from today, the Disciplinary Authority should pass final orders in the matter within four weeks from the date of receipt of applicant's representation.

5. The OA is disposed of accordingly. No costs.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S.R. Adige
(S.R. Adige)
Vice-Chairman (A)