

Central Administrative Tribunal  
Principal Bench

O.A. No. 1138 of 2001

New Delhi, dated this the 4th May, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

D. Mazumdar,  
S/o late Shri J.R. Mazumdar,  
R/o Sector 1, Quarter No. 705,  
R.K. Puram,  
New Delhi-110022. .... Applicant

(By Advocate: Shri S.K. Gupta proxy  
counsel for Shri B.S. Gupta)

Versus

Union of India through  
the Secretary,  
Ministry of Petroleum & Natural Gas,  
Shastri Bhawan,  
New Delhi-110001. .... Respondent

ORDER (Oral)

S.R. ADIGE, VC (A)

Applicant seeks a direction to conclude the Departmental Enquiry initiated against him by Memorandum dated 18.1.94 (Annexure A-2) and to revoke the suspension. He also seeks revision of pay w.e.f. 1.1.96 as per Fifth Pay Commission's recommendations and for increase in the D.A. as admissible from time to time together with interest @ 18% p.a. on arrears of subsistence allowance.

2. We have heard applicant's counsel Shri Gupta who states that the Enquiry Officer submitted his report on 24.4.95 exonerating applicant of both charges levelled against him but the Disciplinary Authority has not yet passed any orders upon E.O's report.

2

3. If these submissions are correct the position cannot be stated to be satisfactory and the Disciplinary Authority is directed to take a final decision on the aforesaid E.O's report as expeditiously as possible and preferably within two months from the date of receipt of a copy of this order.

4. In the light of the decision of the Disciplinary Authority so taken, Respondents should take appropriate action upon applicant's other claims listed above.

5. If after exhausting statutory remedies available to him any grievance still survives it will be open to applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

6. The O.A. stands disposed of at the preliminary stage itself. No costs.

7. Let a copy of the O.A. be annexed along with this order.

A. Vedavalli

(Dr. A. Vedavalli)  
Member (J)

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