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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1444/2001

Monday, this the 4th day of June, 2001

Hon'ble Mrs. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Mr. S.A.T. Rizvi, Member (Admn)

Shri Baljit Singh,
S/o Shri Tara Singh,
R/o 81, Goodwill Apartment,
Sector-13, Rohini,
Delhi-110085.

Presently working as Food Inspector,
Deptt. of Prevention & Food Adulteration,
Govt. of N.C.T. of Delhi.

(By Advocate: Shri M.K. Gupta)

....APPLICANT

V E R S U S

1. Govt. of National Capital Territory of Delhi,
through its Chief Secretary,
Players Bhawan,
I.P. Estate,
New Delhi-110092.
2. The Director
Deptt. of Prevention of Food Adulteration,
A-20, Lawrence Road,
Industrial Area,
Delhi.
3. Sh. Ashok Bakshi,
Special Secretary (Medical) &
Ex. Director,
Deptt. of Prevgenction of Food Adulteration,
Players Bhawan,
I.P. Estate,
New Delhi-110092.
4. Sh. M.N. Mathur,
Inquiry Officer,
(To be served through Respondent No.2).

....RESPONDENTS

O R D E R (ORAL)

By Mrs. Lakshmi Swaminathan, Hon'ble VC (J):

Heard Shri M.K.Gupta, learned counsel for the applicant. He has prayed for an interim order restraining the respondents from proceeding against the applicant in the Departmental proceedings initiated by Memo. dated 26.10.1999. He has submitted that the

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applicant has been denied defence assistant particularly in the light of the fact that the Presenting Officer is a Senior Public Prosecutor. Apart from that, learned counsel has also submitted that the relied upon documents and the day-to-day proceedings of the Departmental enquiry held so far have not been given to the applicant to enable him to prepare his defence ~~of~~ statement. He has submitted that when the Departmental enquiry was held last on 22.5.2001, the applicant had been directed straightaway to give his written arguments on 6.6.2001 when the Departmental enquiry is fixed next for hearing. He has also brought to our attention the representation made by the applicant on 22.5.2001 (page 120 of the paper book) in which these averments have been submitted to the Enquiry Officer. Learned counsel has submitted that till date no reply to this representation has been given. He has fairly submitted that the applicant has no objection in participating in the Departmental enquiry proceedings provided the same ~~are~~ held in accordance with the relevant law, rules and instructions which he has stated have not been complied with as mentioned above.

2. In the above circumstances, learned counsel has prayed for an interim order staying the Departmental enquiry proceedings which is fixed next for hearing on 6.6.2001.

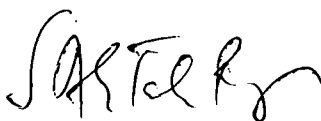
3. Noting the above facts that the Departmental enquiry proceedings have been fixed next on 6.6.2001, we consider it appropriate to dispose of the OA with a direction to the respondents and, in particular,

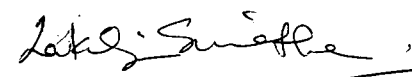
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Respondent 2 to examine the applicant's representation dated 22.5.2001 in accordance with the provisions of law, rules and instructions. He shall do so by a detailed, reasoned and speaking order on each of the submissions made by the applicant and till disposal of the representation made by the applicant, the Departmental enquiry initiated by order dated 11.1.2001, read with the order dated 26.10.1999, shall not be continued/proceeded with on 6.6.2001 or thereafter. The respondents shall dispose of the applicant's representation dated 22.5.2001 within a period of one month from the date of receipt of a copy of this order, with intimation to the applicant.

Issue Dasti.


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


(Mrs. Lakshmi Swaminathan)
Vice Chairman (J)

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