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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 1637/2001

New Delhi this the 9th day of July, 2001.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI M.P.SINGH, MEMBER (A)

Sheo Narayan Singh S/O Ram Nagina Singh,
Jt. Commissioner of Customs &
Central Excise, now working as
Jt. Director, Directorate General of
Inspection, Customs & Excise,
D-Block, I.P.Bhawan,
I.P.Estate, New Delhi.
R/O D-II/299 Vinay Marg, Chanakyapuri,
New Delhi-110021. ... Applicant

(By Shri Som Dutta Sharma, Advocate)

-versus-

Union of India through
Secretary, Department of Revenue,
Ministry of Finance,
Govt. of India, North Block,
New Delhi. ... Respondent

O R D E R (ORAL)

Shri Justice Ashok Agarwal:-

By the present OA applicant seeks to impugn a chargesheet issued on 21.3.2000 at Annexure A-I. The same is impugned on the ground that it is issued belatedly after a lapse of 11 years and is, therefore, liable to be quashed on the ground of delay and laches. The chargesheet is impugned on a further ground that the same pertains to a quasi judicial function of the applicant while he was an Assistant Collector in the Central Excise Collectorate, when no allegations of extraneous considerations have been levelled against him.

2. Applicant has submitted his representation against the aforesaid chargesheet on 26.6.2000 at



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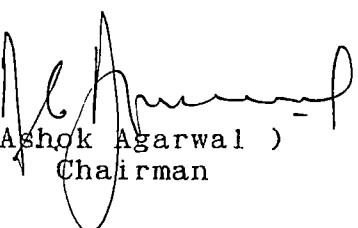
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Annexure A-X. No decision thereon has so far been taken. An enquiry officer has now been appointed vide order dated 4.5.2001 at Annexure A-XII. Since no orders have been passed on the aforesaid representation, we find that the interest of justice would be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to respondents to decide the aforesaid representation of applicant by passing a speaking and a reasoned order expeditiously and within a period of three months from the date of service of this order. We direct accordingly.

3. Till such time the respondents decide the aforesaid representation, as directed, the enquiry officer who has been appointed by the aforesaid order of 4.5.2001 will not take steps in conducting the disciplinary proceedings against the applicant. He will not take aforesaid steps in the enquiry for a period of two months after service of the order by the respondents on the applicant disposing of his representation.

4. Present OA is accordingly disposed of.

(M.P.Singh)
Member (A)


(Ashok Agarwal)
Chairman

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