

Central Administrative Tribunal, Principal Bench

Original Application No.1955 of 2001

New Delhi, this the 6th day of August, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. S. A. T. Rizvi, Member(A)

Subhash Chandra Saxena  
S/o Shri R.S. Saxena  
R/o C-18, Railway Colony  
Govind Nagar, Kanpur,  
Uttar Pradesh

- Applicant

(By Advocate: Shri Sanjay Parikh with Shri A.K. Mishra)

Versus

1. Ministry of Railways  
Railway Board, Rail Bhawan,  
New Delhi

2. Addl. Divisional Railway Manager-II  
Central Railways  
Jhansi Division  
Jhansi U.P.

3. K.N. Jain  
Enquiry Officer (Retd. CSTE/NR)  
1, Babar Road,  
New Delhi

- Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

Present OA, we find, has been filed at an interlocutory stage, namely, at a stage of issue of the report by the Enquiry Officer in disciplinary proceedings initiated against the applicant. Applicant, in response to the enquiry report, has submitted his preliminary objections on 3.1.2001 at Annexure P-5. No decision thereon has so far been taken.

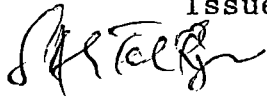
2. In the circumstances, we find that interests of justice will be duly met by disposing of the present OA at this stage itself even without issue of notices with a direction to the disciplinary authority to first render his decision on the aforesaid preliminary objections of



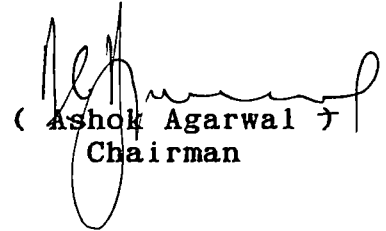
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3.1.2001 at Annexure P-5 and thereafter proceed with the disciplinary proceedings in accordance with law. Present OA is disposed of in the aforestated terms.

Issue DASTI.



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



( Ashok Agarwal )  
Chairman

/dkm/