

Central Administrative Tribunal, Principal Bench

Original Application No. 1960 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)

Shri Mahesh Kumar Bhada
Commissioner of Customs(Adjudication) (on leave)
H-24, Hyderabad Estate,
Napean Sea Road,
Mumbai-400026

- Applicant

(By Advocate: Shri M. Chandrasekharan, Sr. Counsel with Shri
C. Hari Shankar)

Versus

1. Union of India through
the Secretary
Department of Revenue
Ministry of Finance, North Block,
New Delhi-1

2. Central Board of Excise & Customs
Through the Chairman
North Block, New Delhi-1

- Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

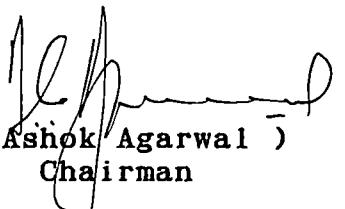
Commissioner of Appeals, by ~~its~~ ^{his} order of 30.10.92, had set aside the demands and dropped the proceedings against M/s Nestle India Limited. Applicant while functioning as Collector (Judicial), Chandigarh Commissionerate during 1993-94, decided not to prefer an appeal against the said order. The said decision of the applicant is sought to be made the subject matter of disciplinary proceedings which is sought to be initiated vide memorandum of 30.11.2000 at Annexure A-1. On receipt of the aforesaid memorandum, the applicant has by his communication of 9.1.2001 at Annexure A-2 claimed copies of certain documents mentioned therein. Respondents, however, by a communication of 19.1.2001 at Annexure A-3 still insisted upon the applicant to submit his reply against the aforesaid memorandum at Annexure A-1.

(2)

2. Having regard to the aforesaid demand contained in Annexure A-2, we find that interests of justice will be duly met by disposing of the OA at this stage itself even without issue of notices with a direction to respondents to first furnish the aforesaid documents claimed by the aforesaid letter at Annexure A-2 to enable the applicant to submit a proper reply to the aforesaid memorandum. Respondents will thereafter ~~get~~ ^{be at} liberty to proceed with the disciplinary proceedings in accordance with law. Present OA is disposed of in the aforestated terms with liberty.

Issue DASTI.


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


(Ashok Agarwal)
Chairman

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