

(8)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2541/1999

New Delhi this the 12th day of May, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRIMATI SHANTA SHASTRY MEMBER (A)

Shri G. Ramdas
S/o Shri Subbo Rao
R/O D-9, Income Tax Colony
Peddar Road
Mumbai-400 026

... Applicant

(By Advocate Shri P.P.Khurana)

-Versus-

Union of India, through
its Secretary
Ministry of Finance
North Block
New Delhi-110 001.

... Respondent

(By Advocate Shri V.P.Uppal)

O R D E R (ORAL)

Shri Justice Ashok Agarwal:

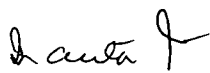
Applicant was proceeded in disciplinary proceedings by issuing a chargesheet way back on 8.1.1996. He submitted his statement of defence on 7.5.1996. On 20.2.1998, He filed OA No.521/1998 seeking to impugn the aforesaid disciplinary proceedings. By an order passed on 16.11.1998, aforesaid OA was disposed of by granting six months' time to the respondent to complete the proceedings. By a report issued by the enquiry officer on 10.10.1998, applicant was exonerated of the charges levelled against him. The Central Vigilance Commission referred the matter to the disciplinary authority for comments. The disciplinary authority by its report dated 13.4.1999 concurred with the opinion rendered by the enquiry officer. A difference has

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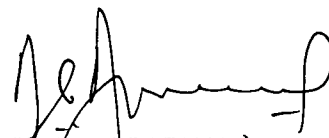
thereafter arisen between the Central Vigilance Commission and the disciplinary authority. The difference has been referred to the Department of Personnel for resolving the dispute and the matter now rests at this stage. In the meanwhile, applicant has been superseded by his juniors on a couple of occasions. Counsel appearing for the respondent seeks three months' time to pass final orders in the present proceedings. In the circumstances, aforesaid time is granted. Since the applicant has been under the shadow of the aforesaid disciplinary proceedings since January 1996 and since the period of six months ^{which} had been granted to the respondent to complete the proceedings on 16.11.1998 ^{has elapsed long back} we clarify that in case no final decision is taken by the disciplinary authority within the period of three months from the date of receipt of this order, disciplinary proceedings pending against the applicant will stand abated.

2. Present OA in the circumstances is disposed of with the aforesaid direction. No costs.

3. Issue dasti.


(SHANTA SHASTRY)
MEMBER (A)

sns


(ASHOK AGARWAL)
CHAIRMAN