

Central Administrative Tribunal
Principal Bench: New Delhi

O.A./ No. 2183/98

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New Delhi this the 5th day of January 2001.

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Shri B.B. Lal,
SSTE (Works)
Northern Railway (Retd.),
R/o K-8, Gyan Sarovar Colony,
Ramghat Road,
Aligarh UP.

Applicant

(By Advocate: None)

Versus

1. Union of India through
the Secretary,
Railway Board,
Ministry of Railways,
Rail Bhawan, New Delhi.
2. The General Manager,
Northern Railways Headquarters,
Baroda House, New Delhi.

Respondents

(By Advocate: Shri R.P. Aggarwal)

O R D E R (Oral)

Hon'ble Shri S.R. Adige, VA (A)

Applicant impugns the departmental proceedings initiated against him vide Memo dated 23.10.1992 (Annexure-1) and Memo dated 19.10.1993 (Annexure 2). He seeks a direction to the respondents to pay his death-cum-gratuity and other retiral benefits with reasonable interest thereon from the date when the applicant superannuated from service.

2. None appeared for applicant when the case was called out. The respondents' counsel Shri R.P. Aggarwal appeared and was heard.

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3. Shri Aggarwal informed us that the departmental proceedings initiated vide Memo dated 23.10.1992 has already been concluded, while in regard to the departmental proceedings initiated vide impugned Memo dated 19.10.1993, a copy of the enquiry report has been furnished to applicant and he has submitted his representation against the inquiry officer's finding, and the matter is being pursued further in consultation with the UPSC.

4. The Hon'ble Supreme Court in a catena of judgements has strongly deprecated the practice of Courts/Tribunals interfering with departmental proceedings at interlocutory stages unless there are overwhelming reasons to do so. In the present case, no such reason have been furnished in regard to the departmental enquiry initiated vide impugned Memo dated 19.10.1993 which is also now in its closing stage.

5. In the circumstances, this OA is disposed of with the direction to respondents to ensure that the enquiry initiated pursuant to impugned Memo dated 19.10.1993 is concluded within three months from the date of receipt of a copy of this Order, and thereupon applicant is released such pending retiral dues thereafter, as are

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admissible to him in accordance with rules, instructions and judicial pronouncements. No costs.

6. After the above orders had been dictated in open Court, Shri U. Srivastava, proxy counsel for Shri S.M. Garg, applicant's counsel appeared.

A. Vedavalli
(Dr. A. Vedavalli)
Member (J)

S. R. Adige
(S. R. Adige)
Vice Chairman (A)

Mittal