

OM 826/98

20/4/98

Present : Sh. U. S. Bishu, counsel  
for the appl.

OM disposed of by a D. B. B.  
of Han'sle Sh. S. R. Adege, V.C.A. and  
Han'sle Sh. T. N. Bhat, M.B.

Order on separate sheet

B.G.  
K.C. II

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**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

O.A. NO. 826/1998  
M.A. NO. 793/1998  
M.A. NO. 794/1998

New Delhi this the 20th day of April, 1998.

**HON'BLE SHRI S. R. ADIGE, VICE CHAIRMAN (A)**

**HON'BLE SHRI T. N. BHAT, MEMBER (J)**

T. R. Bhatia S/O Tara Chand Bhatia,  
R/O 3, Adarsh Nagar, Dehradun,  
working as AGE PLG of Garrison  
Engineer (P), Clement Town,  
Dehradun.

... Applicant

( By Shri U. S. Bisht, Advocate )

-Versus-

1. Union of India through  
Secretary, Ministry of Defence,  
New Delhi-110011.

2. Engineer-in-Chief's Branch,  
Army Headquarters,  
Kashmir House, DHQ-P.O.,  
New Delhi-110011.

3. Chief Engineer, Western Command,  
Chandi Mandir. ... Respondents

**O R D E R (ORAL)**

**Shri S. R. Adige, V.C. (A) :**

Applicant seeks quashing of the impugned order dated 15.7.1996 (Annexure A-1) and alternatively, a direction to respondents to finalise the disciplinary case expeditiously well before the date of his retirement on 31.7.1998.

2. We have heard the applicant's counsel Shri Bisht. This OA is disposed of at preliminary hearing stage itself with a direction to the respondents to

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conclude the departmental enquiry, which is said to have commenced in February, 1997 as expeditiously as possible, and preferably before the applicant's date of superannuation, i.e., 31.7.1998.

3. In this connection, Shri Bisht has also stated that the applicant has been handicapped in his defence for want of necessary documents, for which a prayer was also made on 24.11.1997 (Annexure A-4) to which no reply has been given. He states that even earlier also the applicant had sought for the relevant documents, but the same have not been supplied to him.

4. Respondents are directed to examine the contents of the applicant's representation dated 24.11.1997, and furnish to the applicant, as expeditiously as possible, the relevant documents which he states are essential to his defence. In the event that the respondents consider any document not essential to applicant's defence, they shall record written reasons for coming to such a conclusion, under intimation to the applicant.

5. In this connection, we also call upon the applicant to cooperate fully with the respondents in the departmental enquiry, so that it can be concluded as expeditiously as possible.

6. If any grievance survives thereafter, the applicant shall be at liberty to re-agitate the matter in appropriate original proceedings. The OA is accordingly disposed of. *in this*

*b/w*  
( T. N. Bhat )  
Member (J)

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

/as/