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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A.No.1535/95

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 22nd day of September, 1995

Shri Guru Narain Mishra
s/o Shri Lalta Prasad Mishra
r/o Qr. No.11, C.P.W.D.Inquiry Office
Sector-III, Pushp Vihar
NEW DELHI - 110 017.

... Applicant

(By Shri Sohan Lal, Advocate)

Versus

Union of India through

1. The Secretary
Ministry of Urban Development
Nirman Bhawan
NEW DELHI - 110 011.
2. The Director General of Works
Central Public Works Department
Nirman Bhawan
NEW DELHI - 110 011.
3. The Supdtg. Engineer
Delhi Central Circle-VIII
C.P.W.D., R.K.Puram
Sena Bhawan
NEW DELHI - 110 066.

... Respondents

(By Shri B.Lal, Advocate)

O R D E R (Oral)

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

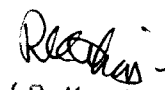
The applicant who was Assistant Engineer under the second respondent was placed under suspension by order dated 19.4.1990 as an investigation against him for a criminal offence was pending. He was served with a memorandum of charge on 12.4.1991. After the inquiry the Inquiry Officer on 21.9.1994 submitted a report exonerating the applicant of the charges. The disciplinary authority sent a copy of the report to the applicant but has not yet issued a final order. Apprehending that the disciplinary authority would be informed by the report of the Central Vigilance Commission the applicant has filed this application for a direction to the respondents to exonerate the applicant of the charges on


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the report of the Inquiry Officer, and without considering the advice of the Central Vigilance Commission and to pay the applicant full back wages for the period during which the applicant was kept under suspension.

2. Shri B.Lal appeared for the respondents. Shri Lal under instructions from the Departmental Representative stated that a final order in the disciplinary proceedings would be passed within a period of two months. Then the learned counsel for the applicant stated that the application may be disposed of with a direction to issue a final order in the departmental proceedings within two months. The learned counsel for the respondents also agreed.

3. In the result, the application is finally disposed of at the admission stage directing the respondents to pass final order in the disciplinary proceedings initiated against the applicant by memorandum of charges dated 12.4.1991 within a period of two months from the date of communication of a copy of this order. There is no order as to costs.


(R.K. AMBUJA)
MEMBER(A)


(A.V. HARIDASAN)
VICE-CHAIRMAN(J)

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