

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.2283/1996

New Delhi, this the 28th October, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

T. D. S. Tulsiani S/O Late
S. D. Tulsiani,
R/O 465, Sector 17, Faridabad,
Haryana.

... Applicant

(Applicant in person and Shri H. B. Mishra, Advocate
and Shri K. K. Bhuchar, Advocate as Amicus Curiae)

-Versus-

1. Union of India through
Secretary, Ministry of
Urban Development,
Government of India,
Nirman Bhawan,
New Delhi-110011.
2. Director General of Works,
Central Public Works Department,
Nirman Bhawan,
New Delhi.
3. The Chief Vigilance Officer,
Delhi Development Authority,
Vikas Sadan, New Delhi.

... Respondents

The application having been heard on 28.10.1996
the Tribunal on the same day delivered the
following :

O R D E R

CHETTUR SANKARAN NAIR, J./CHAIRMAN —

The application was passed over to enable the
learned counsel for applicant to appear. Since he
has not appeared, applicant sought our permission to
argue the matter himself, and we granted such
permission.

2. Applicant is aggrieved by Annexure-A memorandum
dated 2.9.1994 issued by the Delhi Development

...2.

Authority charging him with acts of misconduct. He has moved the Delhi Development Authority by Annexure-D representation seeking certain reliefs also pointing out that a charge cannot hang like Democle's sword over his head for long years. Notwithstanding the delay in challenging Annexure-A, we think that third respondent should be directed to consider Annexure-D and pass a speaking order thereon. We direct third respondent to consider Annexure-D representation in the light of the decision of the Apex Court in State of Madhya Pradesh vs. Bani Singh (AIR 1990 SC 1308), pass a speaking order thereon within three months from today and to communicate the same to applicant. Status quo as on today will be maintained till such orders are passed. Applicant will produce a copy of this order and the original application before third respondent, who shall acknowledge the same and applicant will lodge a copy of the acknowledgement in the Registry.

2. Application is disposed of as aforesaid.

We express our appreciation of the help rendered by learned counsel Shri H. B. Mishra and Shri K. K. Bhuchar, who appeared as amicus curiae and helped us in this matter.

Dated, 28th October, 1996.


(R. K. Ahooja)
Member(A)


(Chettur Sankaran Nair, J.)
Chairman