

Central Administrative Tribunal
Principal Bench

.....

O.A. No. 287/96

New Delhi, this the 15th day of March, 1996

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

Shri Bishamber Singh son of Shri Fateh Singh,
employed as Dy. Superintendent of Post Offices,
Dehra Dun Division Dehra Dun r/o Dehra Dun.

(By Shri Sant Lal, Advocate)

.....Applicant

Versus

1. The Union of India through
Secretary/Director General,
Department of Posts,
Dak Bhawan, New Delhi- 110 001.
2. Shri D.S. Veerwal, Inquiry Officer,
Director Postal Services,
O/O the Chief Postmaster General,
Delhi Circle,
Meghdoot Bhawan,
New Delhi.

...Respondents

ORDER (Oral)

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

The applicant, who is Deputy Superintendent of Post Offices, has filed this application under Section 19 of the Administrative Tribunal Act, 1985 praying that the first respondent may be directed to consider his representation for change of Enquiry Officer on account of bias and to appoint another Enquiry Officer and to complete the disciplinary proceedings within a period of three months and if disciplinary proceedings are not finalized within the said period, the proceeding may be deemed as dropped and no action thereafter be taken. The charge-sheet was served on him on 21.5.1993. The applicant represented to the first respondent for change of Enquiry Officer on the ground of bias. His grievance is

that the first respondent is sleeping over the representation and that the enquiry is being delayed.

2. When the application came up for hearing on admission, the learned counsel on either side agreed that without going into the merits of the application, the application may finally be disposed off at the admission stage itself by giving appropriate direction to the parties for completion of the disciplinary proceedings within a specified time frame after taking a decision by the respondent no. 1 on the representation of the applicant.

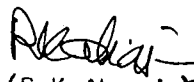
3. In the light of what is stated by the counsel on either side, the application is disposed off finally at the admission stage itself with the following directions:-


(a) the 1st respondent shall within a period of one week from the date of communication of this order take a decision on representation submitted by the applicant for change of the Enquiry Officer by a speaking order and communicate the same to the applicant;

(b) after disposal of the representation as referred to in clause(a) above, the Enquiry Officer shall hold the enquiry and submit the report of enquiry within a period of three months;

(c) The applicant shall cooperate with the enquiry officer for early completion of the proceedings.

(d) The respondents on receipt of the enquiry report shall take expeditious decision and pass a final order in the disciplinary proceedings. There is no order as to costs.


(R.K. Ahuja)
Member (A)


(A.V. Haridasan)
Vice-Chairman(J)

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