

Central Administrative Tribunal  
Principal Bench: New Delhi

...  
OA No. 1794/97

New Delhi, this the 6th day of Aug., 1997

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Shri K. Muthukumar, Member (A)

Sh. Purshotam Dass  
s/o Late Sh. Adil Ram  
R/o G-4, Type-V, New Police Lines,  
Kingsway Camp, Delhi.

....applicant

(By Advocate: Shri VSR Krishna)

-versus-

Lt. Governor of Delhi through  
Chief Secretary,  
Govt. of N.C.T. of Delhi,  
5, Sham Nath Marg,  
Delhi.

...respondents

(By Advocate: None)

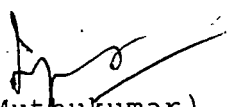
O R D E R (ORAL)  
(Dr. Jose P. Verghese, Vice-Chairman (J))


This OA has been filed basically to challenge the disciplinary proceedings initiated against the petitioner which, on the face of it, shows that it is based on belated incident that has taken place in the year 1984. The disciplinary authority seems to have come to a conclusion to proceed against the petitioner on the basis of the preliminary inquiry held and the petitioner has brought to our notice that even in the preliminary inquiry no prima-facie case is made out.

We do not propose to look into this aspect of this case by ourselves but in case a representation is moved by the petitioner, respondents shall consider the same especially because if the statement of the petitioner is correct that goes to the very root of the case and it can avoid avoidable proceedings of this nature.

The petitioner is given liberty to move a representation in this regard or any other issue that has arisen out of various other judicial orders in this respect and the respondents shall dispose of the said representation within four weeks from the date of receipt of such representation.

With these observations, this OA is disposed of giving liberty to the petitioner to challenge any order passed in accordance with law. There shall be no order as to costs.

  
(K. Muthukumar)  
Member (A)

  
(Dr. Jose P. Verghese)  
Vice-Chairman (J)

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