

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

Page No. 5

DA/TA/CCP No. 19

APPLICANT (S)

COUNSEL

VERSUS

RESPONDENT (S)

COUNSEL

Date

Office Report

Orders

RA. 173/97  
OA. 1428/97

12.8.97

RA has been rejected  
by a D.B. of Hon'ble  
Chairman & Hon'ble S.C.S.R.  
Adige, MCAI, on 12.8.97 by  
way of circulation.

B.O  
Planned  
etc.

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench

R.A. No. 173 of 1997  
in  
O.A. No. 1428 of 1997

New Delhi, dated the 12<sup>th</sup> AUGUST 1997

HON'BLE MR. JUSTICE K.M. AGARWAL, CHAIRMAN  
HON'BLE MR. S.R. ADIGE, MEMBER (A)

Shri Mahender Kumar Wadhwa,  
Asst. Director General (CX),  
O/o the D.G., Dept. of Telecom.  
612, Sanchar Bhawan,  
New Delhi-110001.                    ... REVIEW APPLICANT

## VERSUS

Union of India through

1. The Secretary,  
Ministry of Communication,  
Dept. of Telecom.,  
Sanchar Bhawan,  
New Delhi-110001.
2. The Director General,  
Govt. of India,  
Ministry of Communication,  
Sanchar Bhawan,  
New Delhi-110001.
3. The Desk Officer (Vig.II),  
Govt. of India,  
Dept. of Telecommunications,  
West Block No.1, Wing No.2,  
Ground Floor,  
R.K. Puram,  
New Delhi-110066.

## • RESPONDENTS

ORDER (By Circulation)

Perused the R.A.

2. In so far as the prayer for quashing the charge sheet is concerned, the Tribunal in its impugned judgment dated 30.6.97 has noted the seriousness of the charge and also the fact that the alleged delay in issuing the charge sheet was neither sufficient to

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warrant quashing of the charge sheet nor indeed was it such as to warrant any conclusion of prejudice fatal to the continuance of the inquiry. It is in this background that the Tribunal in its impugned judgment had declined to interfere with the chargesheet and had dismissed the O.A., further observing that respondents had rightly rejected applicant's representation for promotion, because finding disposal of the chargesheet and the vigilance case against him, he could not be granted ad hoc promotion.

3. None of the grounds contained in the R.A. bring it within the scope and ambit of Sec. 22(3)(f) A.T. Act read with Order 47 Rule 1 C.P.C. under which alone any judgment/order/decision of the Tribunal can be reviewed.

4. The R.A. is rejected.

*K.M. Agarwal*  
(K.M. AGARWAL)  
Chairman

*S.R. Adige*  
(S.R. ADIGE)  
Member (A)

/GK/