CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

25

New Delhi, dated the 5th AUGUST 1997

HON'BLE MR. S.R. ADIGE, MEMBER (A)
HON'BLE Dr. A. VEDAVALLI, MEMBER (J)

O.A. No.2467 of 1994

Shri O.P. Sharma,
S/o Shri Kundan Lal,
49, Bharti Artist Colony,
Vikas Marg,
Delhi-110092 ... APPLICANT

By Advocate: Shri M.M. Sudan

VERSUS

1. Lt. Governor
Govt. of NCT of Delhi,
Raj Niwas,
Delhi.

2. Secretary-cum-Director,
Directorate of Training & Tech. Education,
Rouse Avenue,
New delhi.

3. Dy. Secretary (Vigilance),
Directorate of Vigilance,
Govt. of NCT of Delhi,
Old Secretariat,
Delhi. ... RESPONDENTS

By Advocate: Shri S.K.Gupta proxy counsel
for Shri B.S.Gupta

O.A. No. 1857 of 1996

Shri R.S. Bisht,
Lecturer,
College of Art,
New Delhi. ... APPLICANT

By Advocate: Shri Jamshed Bey

VERSUS

U.O.I. through

1. The Secretary,
Ministry of Human Resources,
North Block,
New Delhi.

2. Lt. Governor of Delhi,
Raj Niwas,
Delhi.

3. Secretary,
Technical Education,
Directorate of Tech. Education,
Delhi Admn.,
Rouse Avenue,
New Delhi-110002.

(26)

4. The Director (Vig.),
Central Vigilance Commission,
Block No.10, Jamnagar House,
Akbar Road,
New Delhi-110011. ... RESPONDENTS

By Advocate: Shri S.K.Gupta proxy counsel
for Shri B.S.Gupta

JUDGMENT

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

As both O.As involve common questions of law and fact they are being disposed of by this common judgment.

2. Applicants in both OAs impugn the charge sheet dated 26.11.92 (Ann. A-1) along with Memo dated 17.10.94 (Ann. A-2 to A-4).

3. We have heard Shri Sudan and Shri Bey for applicants and Shri S.K.Gupta proxy counsel for Shri B.S.Gupta for respondents.

4. Shri Sudan has very fairly stated at the bar that on the basis of the impugned charge sheet the E.O. has conducted his inquiry and a copy of the inquiry report has been issued to the applicants on 30.6.97 for making representation if any. In that view of the matter, and having regard to the fact that the Hon'ble Supreme Court in a catena of judgments has strenuously deprecated the practice of Courts/Tribunals intervening in Departmental proceedings at interlocutory stages, any intervention with the charge sheet at this stage would be wholly unwarranted.

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5. The Departmental Proceedings should be concluded as expeditiously as possible and if after exhausting the departmental remedies available to them, any grievance still survives, it will be open to applicants to agitate the same in accordance with law.

6. In this connection it has been urged by Shri Sudan that the E.O. in his report has himself conceded that the enquiry has suffered from various procedural infirmities. We have no doubt this aspect of the E.O's report will be kept squarely in mind by the concerned authorities while disposing of the departmental proceedings.

7. The O.As are disposed of accordingly. No costs.

8. Copy of this judgment to be placed in both O.A. case records.

(Dr. A. VEDAVALLI)
Member (J)

(S.R. ADIGE)
Member (A)

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