

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

O.A. NO. 1512/89

Tuesday, this the 12th day of April, 1994

SHRI N. DHARMADAN (J)  
SHRI P.T. THIRUVENGADAM (J)

Khinni Mal,  
A-113 South Anarkali Extension,  
Delhi-51.

.. Applicant

By Advocate Shri D.P. Sood (Not present)

V/s

1. Delhi Administration through  
Chief Secretary, Delhi.
2. Director of Education,  
Delhi Administration, Delhi.
3. Shri Munshi Ram,  
Assistant Sub-Inspector,  
through Deputy Commissioner  
(Anti-Corruption),  
Delhi Police.
4. Shri V.S.Kardam, P.G.T.  
through Govt. S.S. School Shift-II,  
Shahdara, Delhi-32.

.. Respondents

By Advocate Shri M.M.Sudan (Not present)

ORDER

N. DHARMADAN (J)

Even though the case was called twice, there was no representation from either side. However, we have perused the pleadings and decided to dispose of the original application. The prayer in the application is as follows:-

" This Hon'ble Tribunal may kindly issue appropriate writ, directions, orders to the Respondent No.1 and 2 to withdraw the allegations contained in the charge Memo and quash/set aside the impugned memos dated 20th July, 1988 and 27th September, 1988 as discriminatory, partial, against statutory rules, without jurisdiction and improper and unjust.

Pass further necessary orders/directions as deemed fit and proper in the circumstances of the case and allow cost."

... 2/-

2. Annexure-A3 is the charge memorandum. We have gone through the charge memorandum. Applicant's contention that the charge is discriminatory and has been issued by an incompetent authority cannot be sustained. We are of the view that the applicant can raise all these contentions before the disciplinary authority and satisfy the authority with supporting documents so that the authority could consider the contentions and take a decision. According to us this original application is premature and the contentions raised in this case cannot be considered by us, before a final decision is taken by the disciplinary authority in this case.

3. In this view of the matter, we are satisfied that there is no substance in this application and it is only to be rejected. Accordingly, we dismiss the same. There will be no order as to costs.

*P. T. Thiruvengadam*  
( P.T. THIRUVENGADAM )  
MEMBER (A)

*N. Dharmadan*  
( N.DHARMADAN )  
MEMBER(J)

v/-