

(6)

In the Central Administrative Tribunal
Principal Bench: New Delhi

OA No-1078/89

Date of decision: 20.11.1992.

Shri V.K. Tripathi

...petitioner

Versus

Union of India through
the General Manager,
Northern Railway, New
Delhi & others

...Respondents

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman
The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the petitioner : None

For the respondents : None

Judgement(Oral)

(Hon'ble Mr. Justice V.S. Malimath, Chairman)

None appeared for either parties. We have perused the records of the case. The petitioner has challenged the order of suspension dated 23.2.1989 and has prayed for a direction to permit the applicant to join duty immediately. He has also prayed for quashing of the chargesheet dated 7.4.1989.

2. From the reply filed, it is clear that the petitioner was kept under suspension pending disciplinary enquiry in regard to certain alleged misconduct. The petitioner having since vacated the quarter it is stated in the reply that the petitioner has been permitted to resume duty. Hence the question of granting first two reliefs does not survive. As regards the chargesheet is concerned, it is clear that action is being taken against the petitioner on the allegation that he is guilty of misconduct in

retaining the Railway quarter unauthorisedly and leaving his place of posting without permission of the competent authority. As these are matters for appropriate disciplinary enquiry, we would not be justified in restraining the respondents from holding an enquiry in accordance with the rules. Hence this petition does not survive and is, accordingly, dismissed. No costs.

dr hugh
(I.K. Rasgotra)
Member(A)

Malimath
(V.S. Malimath)
Chairman

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