

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.1987/1988

New Delhi this the 8th Day of December, 1993.

The Hon'ble Mr.S.R.Adige, Member(A)
The Hon'ble Mr.B.S. Hegde, Member(J)

Sh.Begh Raj Singh
R/O 334 Bhera Enclave,
New Delhi-41

... Applicant

(None for the applicant)

Versus

1. Secretary to the Govt. of India,
Ministry of Defence, South Block,
New Delhi

2. The Engineer-in-Chief,
Army Head-Quarter, Kashmir House,
New Delhi-110011

3. Chief Engineer, Chandigarh Zone,
Chandigarh-160019

... Respondents

(None for the Respondents)

ORDER(ORAL)

(Hon'ble Mr.S.R. Adige, Member(A))

1. None for the applicant or for respondents, although this case has been called more than twice. As this is a very old case, we dispose it of on the basis of the materials available on record.

2. The applicant Sh. Begh Raj Singh, Supervisor B/S Grade-I in the office of the C.W.E.(P) Hissar Cantt., has assailed the disciplinary proceedings contemplated against

him vide memorandum dated 30.1.88(Annexure-A1) and 26.5.88. (Annexure-A2) respectively.

3. From the statements of the imputation of misconduct appended with memorandum of charges, it would appear that there are five articles of charges against the applicant. These charges relates to placing orders with the contractor for manufacture of Steel racks knowing he had not without produced the samples as per contract condition; preparing false and fictitious receipts, vouchers and bills and giving unintended benefits to various contractors permitting mis appropriation by the contractors, allowing the contractors to supply substandard materials and causing loss to the State.

4. The O.A. has been challenged by the respondents in their counter affidavit and they have pointed out that as the charges are very serious and involve an attempt to defraud the Government, the disciplinary proceedings should be allowed to proceed to a logical conclusion.

5. It is now well-settled that the Tribunal should not ^{intervene} ~~intervene~~ in departmental proceedings and pass interlocutory orders thereon, except in extremely rare cases where the facts fully justify such intervention. Barring such extra-ordinary cases, the departmental proceedings should be allowed to take their course. If the applicant is dis-satisfied with the decision of the disciplinary authority, statutory remedies are available to him by way of appeal and even thereafter, if any grievance survives, it is open to him to approach this Tribunal in accordance with law, if so advised.

6.. On the basis of the materials on record, we find no reason to interfere in the conduct of

departmental proceedings at this stage.

7.. This application is, therefore, dismissed.
No costs.

B.S. Hegde
(B.S. HEGDE)
MEMBER (J)

S.R. Adige
(S.R. ADIGE)
MEMBER (A)

(ls)