



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA

O.A/350/542/2020

Date of Order: 12.08.2020

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Subodh Kumar Barua, aged 54 years, S/o, late Shri Kumud Bandhu Barua, Group 'C', Data Entry Operator, Urban Health Unit and Training Centre, All India Institute of Hygiene and Public Health, Ministry of Health and Family Welfare, 19, Chetla Hat Road, Kolkata- 700027. Mobile No- 9007659916.

Resident of - 269/2, Athpur Matun Pally, P.O. Shyamnagar, District- 24 Parganas (North), West Bengal, Pin- 743127.

.....Applicant.

-versus-

Union of India through, The Director, All India Institute of Hygiene and Public Health, Ministry of Family Welfare, 110, Chita Ranjan Avenue, Kolkata- 700073.

.....Respondent.

For The Applicant(s): Mr. T. R. Mohanty, Counsel

For The Respondent(s): Mr. S. Paul, Counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Member (J):

Heard ld. counsel for both sides. Records were perused.

2. This application has been preferred to seek the following reliefs:

"8.1. To allow the present application.

8.2. To quash and set aside the impugned Major Penalty Charge Sheet dated 07.02.2020 (Annexure A-1) and all the consequences thereof;

8.3. To allow exemplary costs of the application; and

8.4. To issue any such and further order/directions this Hon'ble Tribunal deems fit and proper in the facts and circumstances of the case."

3. At hearing, Ld. counsel for the applicant admits that the applicant is not a resident of Patna and that he obtained education certificate from Bihar School Examination Board but the certificates are not fake and not produced by fraudulent means.

4. Since respondents have alleged that the certificates have been obtained through fraudulent means whereas applicant disputes the fact, with consent of both the sides, the applicant is permitted to place the original certificates before the Inquiry officer, who shall upon receipt of the original certificates ascertain from the Bihar School Examination Board their genuineness and based on such report shall pass appropriate order within 3 months. Till such time and till further two weeks thereafter the Disciplinary Authority shall not pass any final order in the enquiry.

5. The present O.A stands disposed of. No costs.

(Nandita Chatterjee)
Member (A)

(Bidisha Banerjee)
Member (J)

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