

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH:NEW DELHI

O.A. No.120/91

New Delhi, this the 14 day of August, 1996.

HON'BLE SHRI S.R.ADIGE, MEMBER (A)  
HON'BLE DR.A.VEDAVALLI, MEMBER (J)

B.K.Singh son of Sh.Balram Singh,  
working as Casual Khalasi, in the Office  
of C.T.F.O., Northern Railway, New Delhi ....Applicant  
(By advocate Shri V.P.Sharma)

Versus

1. Union of India,  
through General Manager,  
Northern Railway, Baroda House,  
New Delhi.
2. The D.R.M.,  
Delhi Division,  
Northern Railway,  
New Delhi.
3. The Asstt. Personnel Officer(R),  
Northern Railway,  
Delhi Division, New Delhi. ....Respondents

(By advocate Shri Ashish Kalia)

JUDGEMENT

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

Heard.

2. The applicant who is a casual Khalasi has assailed the departmental proceedings initiated against him, contending inter alia that the charge sheet dated 3.11.88 (Annexure-A4) is vague, and copies of the listed documents, copies of the relied upon documents, list of witnesses, statements of witnesses have not been supplied to him.
3. These assertions are denied by the respondents who also pointed out that no final orders in the

departmental proceedings have been passed as yet and this application has been filed on mere apprehension.

4. In the absence of final orders in the departmental proceedings, manifestly any judicial intervention at this stage would be premature. The Hon'ble Supreme Court in a catena of judgments has deprecated the practice of the Courts/Tribunals interdicting the departmental proceedings at the threshold stage, unless there are exceptional circumstances to warrant such intervention. No such exceptional circumstances have been brought to our notice by the applicant's counsel and none of the grounds urged by the applicant are such which cannot be urged by him during the course of the departmental proceedings or at the appellate stage.

5. Under the circumstances, we decline to interfere in this matter at this stage. The applicant's counsel has relied upon certain rulings; namely Lal Singh Vs. General Manager, Northern Railway & others decided by the CAT Full Bench Judgment dated 10.8.93 in OA No.486/90 and JT 1994(7)711. We desist from expressing any opinion on merit or recording any of the contentions raised by the either side, lest it prejudice the case of the parties at the enquiry.

6. This OA is accordingly dismissed and the stay orders are vacated. It will be open to disciplinary authority to proceed with the departmental inquiry in accordance with law.

If after exhausting the statutory remedies in the departmental enquiry, any grievance of the applicant still subsists, it will be open to him to agitate the same through appropriate proceedings in accordance with law, if so advised. No costs.

*A. Vedavalli*

( DR.A.VEDAVALLI )  
MEMBER (J)

*S.R. Adige*

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

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