

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

(A)

OA NO. 1628/2004

This the 8th day of July, 2004

HON'BLE JUSTICE SH. V.S.AGGARWAL, CHAIRMAN
HON'BLE SH. S.A.SINGH, MEMBER (A)

Shri T.R.Sharma
E.P.T.-71, Sarojini Nagar,
New Delhi-110 023.Applicant.

(By advocate: Shri Harpreet Singh)

Versus

1. Union of India
through, Secretary Ministry of Communication
Department of Telecom
20, Sanchar Bhawan, Ashok Road,
New Delhi-1.
2. The Executive Director
Mahanagar Telephone Nigam Ltd.
Khurshid Lal Bhawan,
New Delhi-110 050.

....Respondents.

O R D E R (ORAL)

By Justice Shri V.S.Aggarwal, Chairman

The applicant faced trial with respect to the offence punishable under Section 120-B read with Section 13(1)(d) of the Prevention of Corruption Act. The Special Judge, Delhi on 31.10.2003 had recorded that the benefits of the probation given to the applicant shall not attract any disqualification affecting his service.

2. On an earlier occasion, the applicant had preferred Original Application No.825/2004 which was disposed of by this Tribunal directing the disciplinary authority to take a decision in this regard within a period of one month.

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3. Learned counsel for the applicant contends that despite direction of this Tribunal, decision has not been taken but the applicant has been served with a Memorandum of 12.3.2004 which was received by him on 16.4.2004 proposing to invoke the Rule 19 of the CCS (CCA) Rules, 1965.

4. Taking stock of the facts referred to above and also when the rights of the respondents are not likely to be affected, it is directed that earlier order passed by this Tribunal should be complied, without issuing a show cause notice. It is directed that:

- a) the decision as directed earlier by this Tribunal should be taken by the appropriate authority; and
- b) the applicant may answer the notice to show cause that has been served.



(S.A. Singh)
Member (A)



(V.S. Aggarwal)
Chairman

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