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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 1875/2004

New Delhi, this the 5th day of August, 2004

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

S.C. Bhathagar
s/o Late Shri R.C. Bhathagar
Working as Store Keeper Grade-I
r/o 287/2, Clament Street
Meerut Cantt (U.P.)
Working as Store Keeper Grade I under
Garrison Engineer (U), E/M
MEERUT CANTT. (U.P.) ... Applicant

(By Advocate: Shri R.K. Shukla)

Versus

1. Union of India through
the Secretary
Ministry of Defence, South Block
New Delhi.
2. The Engineer-in-Chief (EinC's Branch)
Army Headquarters, Kashmir House
NEW DELHI.
3. The Commandar Works Engineer
29-J, The Mail
MEERUT CANTT-250 001 (U.P.) ... Respondents

O R D E R (Oral)

Justice V.S. Aggarwal:-

The applicant by virtue of the present application seeks to assail the memorandum and the Articles of Charge that have been served.

2. Earlier the applicant had been served with a chargesheet. The same had been withdrawn with the following order:

"1. Without prejudice to issue fresh orders, this office letter No. 1101/SCB/03/EIC

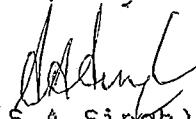
VS Ag

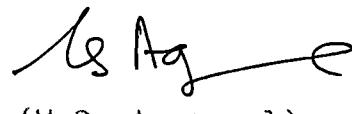
dated 19 Dec 1996 is hereby cancelled.

Sd/
(Badri Vittal)
Colonel
Commander Works Engineer"

3. Applicant states that the reasons have not been recorded and, therefore, the cancellation of the earlier chargesheet and serving of the fresh chargesheet is invalid.

4. In this regard, the applicant states that he has already submitted a representation to the disciplinary authority dated 20.5.2003. Keeping in view the said fact, it is directed that respondent No.3 would consider the said representation and pass an appropriate order preferably within three months of the receipt of the certified copy of the present order and communicate it to the applicant. O.A. is disposed of.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/dkm/