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Central Administrative Tribunal, Principal Bench

Review Application No. 142 of 2004 in
Original Application No. 264 of 2004

New Delhi, this the 29th day of June, 2004

Hon'ble Mr. Justice V. S. Aggarwal, Chairman
Hon'ble Mr. R. K. Upadhyaya, Member(A)

Union of India and Ors.

.... Review Applicants

Versus

Mrs. Maya Sinha

.... Review Respondent

O R D E R (By Circulation)

Justice V. S. Aggarwal, Chairman

Mrs. Maya Sinha had filed O.A. 264/2004 seeking quashing of the chargesheet dated 18.7.2003. During the course of arguments, it was pointed that the enquiry proceedings had been completed and report only had to be submitted. Keeping in view this fact, it was directed that enquiry officer should submit the report within four weeks and disciplinary authority thereafter may take a decision within next two weeks which should be communicated to the applicant.

2. Respondents (Union of India) seek review of the order. Their basic grievance is pertaining to the time limit fixed by the Tribunal in this regard. It has been pointed that the case could be remitted back even to the enquiry officer and such like eventualities have been mentioned.

3. We deprecate such a practice of filing review petitions without basis. In this process, the orders passed by this Tribunal should not be violated.

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4. It is obvious from the tenor of the order that the enquiry officer was simply to file the report keeping in view that the enquiry was completed, within four weeks. Thereafter a decision had to be taken by the disciplinary authority. Decision to be taken includes the matter which could be remitted back, as is being apprehended by the review petitioners. The review petitioners have not cared to mention that in fact such an eventuality has arisen and, therefore, delay may occur. They are not even seeking extension of time.

5. Consequently, we are of the considered opinion that the present petition is totally without merit. It must fail and accordingly is dismissed in circulation.


(R. K. Upadhyaya)

Member (A)


(V. S. Aggarwal)

Chairman

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