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Central Administrative Tribunal, Principal Bench
Original Application No.846 of 2004

New Delhi, this the 6th day of April, 2004

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

Dr. R.U. Ahmad,
SF-51, Shastri Nagar,
Ghaziabad-201002

.....Applicant

(By Advocate: Shri M.K. Bhardwaj)

Versus

Union of India & ors. through

1. The Secretary,
Department of Ayush,
Govt. of India,
Ministry of Health & Family Welfare,
Red Cross Building, New Delhi-1
2. The Joint Secretary
Department of Ayush,
Govt. of India,
Ministry of Health & Family Welfare,
Red Cross Building, New Delhi-1
3. The Director (Ayush)
Department of Ayush,
Govt. of India,
Ministry of Health & Family Welfare,
Red Cross Building, New Delhi-1
4. The Under Secretary
Department of Ayush,
Govt. of India,
Ministry of Health & Family Welfare,
Red Cross Building, New Delhi-1
5. The Director (Incharge)
PLIM, CGO Complex,
Building No.1, Kamla Nehru Nagar,
Ghaziabad-201002

.....Respondents

O R D E R (ORAL)

By Justice V.S. Aggarwal, Chairman

The applicant has superannuated on 31.3.2004. On 21.1.2004, he had been served with certain Articles of Charge. Learned counsel for the applicant states that reply to the same has been filed.

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2. According to the learned counsel, the charges pertain to certain incidents of 1989 to 1990 and there is, therefore, inordinate delay in this regard. He also urged that the charges are vague, indefinite and have been framed with malafide intention.

3. At this stage, we are not going into the other pleas of the applicant because as already referred to above, reply has been filed by the applicant. Therefore, it is for the disciplinary authority to consider and pass an appropriate order as to whether this plea of the applicant of inordinate delay in serving of the charge can be a ground for not proceeding with the enquiry or not. It would be highly appreciated if a speaking order is passed and till such time the said fact is not gone into, further proceedings in this regard should not be initiated against the applicant. The said exercise should be effected preferably within six weeks of the receipt of the certified copy of the present order. With these directions, the O.A. is disposed of.

S. K. Naik
(S.K. Naik)
Member (A)

V. S. Aggarwal
(V.S. Aggarwal)
Chairman

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