

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No. 1562/92

(2)

NEW DELHI THIS THE 3RD DAY OF JANUARY, 1995.

MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)  
MR.B.N.DHOUNDIYAL, MEMBER(A)

Sh.P.G.K.Pillai  
S/o late Shri Gopalan Nair  
R/o A-108, Moti Bagh-I,  
New Delhi-110021. . . . . APPLICANT

BY ADVOCATE SHRI U.S.BISHT.

VS

1. Union of India  
through Secretary  
Ministry of Agriculture  
(Department of Agriculture & Cooperation)  
Krishi Bhavan  
New Delhi.
2. Joint Secretary  
(AC&IC)  
Dept. of Agriculture and  
Cooperation,  
Ministry of Agriculture  
Krishi Bhavan  
New Delhi.
3. Shri Harmohinder Singh  
Inquiring Authority  
Dept. of Agriculture and Cooperation,  
Ministry of Agriculture, Krishi Bhavan  
New Delhi. . . . . RESPONDENTS

BY ADVOCATE SHRI B.LALL.

JUSTICE S.K.DHAON: ORDER(ORAL)

Disciplinary proceedings had been initiated against the applicant. During the pendency of those proceedings before the inquiry officer, the applicant came to this Tribunal with the principal prayer that the order appointing the inquiry officer may be quashed and the disciplinary authority may be directed to appoint another inquiry officer.

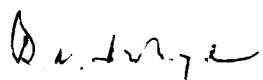
2. It appears that initially an interim order was passed by this Tribunal but later on the same was vacated. Shri U.S.Bisht, the learned counsel for the applicant, has very fairly stated at the Bar that after the vacation of the interim order, the inquiry officer submitted his report to the disciplinary authority but

*say*

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so far that authority has not passed any order. On the face of it, the reliefs claimed in this OA have become infructuous. The disciplinary authority may or may not punish the applicant on the basis of the recommendations of the inquiry officer. If, however, an order adverse to the applicant is passed by the disciplinary authority, it will be open to him to challenge the legality of the appointment of the inquiry officer as also the conduct of such an officer during the course of the inquiry before an appropriate forum.

3. With these directions, this OA is disposed of finally but without any order as to costs.

  
(B.N.DHOUNDIYAL)

MEMBER(A)

  
(S.K.DHAON)

VICE-CHAIRMAN(J)

SNS