

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.
* * *

Date of Decision: 18.11.92

OA 1074/92

MANOJ KUMAR

... APPLICANT.

Vs.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

THE HON. MR. JUSTICE RAM PAL SINGH, VICE CHAIRMAN (J).
THE HON. MR. I.P. GUPTA, MEMBER (A).

For the Applicant

... SHRI V.P. SHARMA.

For the Respondents

... SHRI R.L. DHAWAN.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporters or not ?

JUDGEMENT (ORAL)

Both are heard. The sole point raised by the learned counsel for the applicant is that the punishment order was passed on 15.3.91 but before the order was passed he was not supplied with a copy of the inquiry report by the Inquiry Officer/Disciplinary Authority. He has placed reliance upon the case of Mohd. Ramzan Khan (JT. 1990 (4) SC 456) and also on a judgement rendered in the case of Karam Chand (1992 (2) ATJ 401).

We sustain the sole ground raised by the learned counsel for the applicant and quash the impugned order passed by the Disciplinary Authority and the order passed by the


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Appellate Authority. However, the Disciplinary Authority shall be at liberty to start the proceedings from the stage of the supply of the copy of the inquiry report to the applicant. It shall be open to the applicant to raise all the grounds raised in the OA before the Disciplinary Authority and then before the Appellate Authority. If he is still aggrieved, he can again invoke the jurisdiction of this Tribunal.

With these observations, the OA is finally disposed of. There shall be no order as to costs.


(I.P. GUPTA)
MEMBER (A)
18.11.92


(RAM PAL SINGH)
VICE CHAIRMAN (J)
18.11.92