

OPEN COURT
CENTRAL ADMINISTRATIVE TRIBUNAL, ADDL. BENCH
ALLAHABAD BENCH

DATED: The 16th day of July 1997

CORAM : Hon'ble Dr. R.K. Saxena, J.M.
Hon'ble Mr. D.S. Baweja, A.M.

ORIGINAL APPLICATION NO. 1327 OF 1996

Jitendra Nath Srivastava P.No. 6956462
aged about 55 years S/o Shri M.L. Srivastava
Resident of House No. 46/18A/3, Muirabad,
Allahabad.

... Petitioner

C/A Shri Rakesh Verma, Adv.

Versus

1. Union of India through Secretary,
Ministry of Defence, New Delhi.
2. The Officer-in-charge, A.O.C.
Records, Secunderabad.
3. The Commandant, Central Ordnance
Depot, Chheoki, Allahabad.

.... Respondents

C/R Shri N.B. Singh, Adv.

ORDER

BY HON'BLE DR. R.K. SAXENA, J.M.

Applicant Jitendra Nath Srivastava has approached this Tribunal to seek the relief that directions be given to the respondents to conclude the departmental enquiry pending against him within a period of six months or within any such period which may be deemed reasonable.

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2. Briefly stated, the facts of the case are that the applicant is working as Senior Store Keeper under the respondents and a charge-sheet dated 9.8.1995 was served on him for the misconduct allegedly committed by him. It is contended on behalf of the applicant that despite the period of two years has elapsed but no progress could be made in the enquiry. Feeling aggrieved, by the inaction of the departmental authorities, he has approached the Tribunal with the relief as mentioned above.

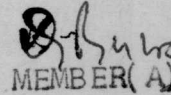
3. The respondents have filed short-counter and contended that the enquiry could not be concluded because two persons were involved and one J.P. Saxena who was also facing the enquiry, was not cooperating. It is also averred that the said J.P. Saxena has now died; and if the applicant also cooperates, the enquiry shall be concluded very shortly.

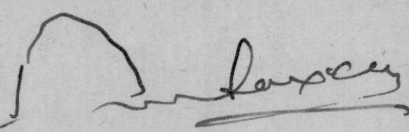
4. We have heard Shri Rakesh Verma, counsel for the applicant and Shri N.B. Singh counsel for the respondents. The matter is at the stage of admission and we are disposing it ~~at~~ finally at this stage.

5. The applicant does not want any other relief than that the departmental enquiry pending against him be concluded at the earliest. The mental agony with which one may suffer during the pendency of the enquiry, is understandable. The respondents too are prepared to conclude the enquiry at the earliest provided the applicant cooperates. Shri Rakesh Verma pleads that the applicant never came in the way of early disposal of enquiry and he, however, contends that the applicant shall always be cooperating. In view of these facts,

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we direct the respondents to conclude the pending enquiry against the applicant within a period of six months from the date when the order is communicated to the respondents. The matter stands disposed of accordingly. No order as to cost.


MEMBER (A)


MEMBER (J)

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