CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 30th DAY OF August, 2000

Original Application No.917 of 1998

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.BISWAS,MEMBER(A)

C.O.D.Token Holder Union & Ors

Along with

Original Application No. 619 of 1998

Ram Janam Verma, s/o Ram Awadh verma
R/o Block No.2, Sidharth Nagar(Rampuram) COD,Kanpur.

Alongwith

Original Application No.620 of 1998

Vinod Kumar, aged about 22 years
S/o Shri Raj narain, R/o Gram & Post
Banipara(Rura), Kanpur Dehat

Original Application No.621 of 1998

Kanhaiya Lal,aged about 23 years,
S/o Shri Om Prakash, R/o 13-G, Chandra
Nagar, Chakeri, Kanpur.

Original Application No.622 of 1998

Mohd.Kalam,aged about 25 years,
S/o ShriHasijuddin,R/o G-I/T-250
Armapur Estate, Kanpur.

Original Application No.623 of 1998

Mukesh Kumar,aged about 23 years,
S/o Shri Murari lal, R/o 304/12, Babu Purwa
Labour Colony, Kidwai Nagar, Kanpur.

Original Application No.855 Of 1998

Dashrath Singh, aged about 26 years,
Son of Shri nepal Singh, R/o House
No.272/7, Babupurwa Labour Colony,
Kidwai Nagar, Kanpur.

Original Application No.856 of 1998

Charan Singh, Son of Shri Chhammi Lal
R/o Village Badani,PostMandhana
District Kanpur.

Original Application No.864 of 1998

Shyam lal Goriya, aged about 25 years
Son of Shri Ram Ratan, r/o33/165
Gaya Prasad Lane, Kanpur.

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Original Application no.865 of 1998

Raj kumar, aged about 22 years
Son of Late Shri Mangal ram, R/o LIC 138
Ganga Vihar, K.D.A Colony,
Jajmau, Kanpur.

Original Application No.866 of 1998

Ramanuj mishra, aged about 23 years,
Son of Lakshmi Kant Mishra, resident of
210/5, New Labour Colony, Babupurwa,
Kidwai nagar, Kanpur.

Original Application No.867 of 1998

Sushil Kumar, aged about 29 years
Son of Shri Ramesh Chandra, resident of
House No.127/274, Juhi
Garah, Kanpur.

Original Application No.873 Of 1998

Anil kumar Sonkar, aged about 29 years
Son of Late Bankey Lal Sonkar,
R/O 103/322, Colonelganj,
Kanpur Nagar.

Original Application No.874 of 1998

Sunil kumar Gupta, aged about 24 years
S/o Shri Sarju Prasad Gupta, resident
of House No.18, village Bhajja
Purwa, Jajmau Cantt.Kanpur.

Original Application No.897 Of 1998

1. Shailendra Kumar, S/o Sri Har Bhajan Singh
   R/o H.No.199/6 Shyam Nagar Naubasta
   Kanpur Nagar.

2. Ashok Kumar S/o Sri raja Ram
   R/o Vill.Kharal, PO Kulgaon, Kanpur Nagar

3. Sanjai Kumar Tiwari, S/o Sri Jagdish Prasad
   Tiwari, R/o 92/2 Side No.1, Kidwai nagar
   Kanpur Nagar.

4. Shailendera Kr.Chaturvedi, Son of
   Shri Ram Abhilakh Chaturvedi, R/o 183 X-1,
   Krishna Puram, Kanpur Nagar.

5. Vivek Kumar, son of Sri Vishnu
   Narayan, R/o 11/289 Sooterganj,Gwaltali
   Kanpur Nagar.

6. Anil kumar Tiwari, S/o Sri Vijai shanker
   Tiwari, r/o 39 A Yashoda Nagar,
Kanpur Nagar.

7. Ram Autar Yadav, S/o SriDhun Mun Yadav
   R/o 118/229 Kailashpuri,
   Kanpur Nagar.

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8. Iswar Chandra, S/o Sri Hem Chandra
R/o 193/5 Babupurwa Colony,
Kidwai nagar, Kanpur Nagar.

9 . Abdul Salam, S/o Sri Abdul Rehman
R/o 251-A, World Bank colony
Pokharpur, Jajmau, Kanpur Nagar

10. Sudhir Kumar, son of Sri om Hari Mishra
R/o Flat No.177 A,H.No.128/3
/119 Yashoda Nagar, Kanpur.

11. Santosh Kumar Singh, S/o Sri R.P.Singh
R/o 212/7 Babupurwa Colony, Kanpur

12. Nak Chhed, s/o Sri Jagdamba Prasad
R/o 131/25 Begumpurwa, Kanpur Nagar

13. Sant Ram Maurya, S/o Sri Ram Lakhan
Maurya,R/o 176 B Bibipur, Chakeri,
Kanpur Nagar.

14. Sanjiva Jumar, S/o Sri Prahladji Prasad
R/o 176 Bibipur, Chakeri,
Kanpur Nagar.

15. Agaj Ahmad, S/o Sri jamal Ahmad
R/o90/233 Hiramanpurwa,
Kanpur Nagar.

16. Mohd.Alam,S/oSri mohd.Yahuma
R/o 132/85, Babupurwa, T.P.Nagar,
Kanpur Nagar.

17. Baikunth Nath Jhan, S/o Sri Ram Deo Jhan
R/o38/6, Babupurwa Colony,
Kanpur Nagar.

Original Application No. 957 of 1998

1. Ram Janki Saran, S/o Ram kishore
Block No.158/4 Babupurwa Colony
Kidwai nagar, Kanpur-22 G

2. Deepak yadav, S/o Jwala Prasad
R/o 127/199 Juhi, Hamirpur Road,
Kanpur 05.OBC

3. Raj Kumar,S/o Anand Swarup
R/o 133/38 Juhi Hamirpur Road,
Kanpur 13.OBC

4. Chandra Prakash, S/o Sohan Lal,
R/o Vill.Ahirawi P.O. Raipalpur
Distt. Kanpur Dehat 8-OBC

5. Suresh kumar Yadav, S/o Badri prasad,
133/38, Juhi Hamirpur Road
Kanpur 19-OBC

6. Vijai Kumar Soni,S/o Suraj prasad,
R/o 133/177 New Purwa Kidwai
Nagar, Kanpur-63-G

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7. Shyam narayan, s/o Ram Bahadur
R/o 177/12 Vijai Nagar
Kanpur 10-OBC

8. Ajai prakash Son of Ganga Ram
R/o 151 Sanjay Gandhi Nagar,
Naubasta, Kanpur 12-OBC

9. Raish Ahmed,S/o Abdul Rayuf
R/o Sujat Ganj,
Kanpur-39-G

Original Application No.999 of 1998

1. Rajesh Dayal, S/o Sri Ashok Dayal,
R/o Block no.109/5 Babupurwa Colony
Kidwai nagar, Kanpur Nagar.

2. Ram naresh,S/o Sri Bansh gopal
R/o vill.&Post Meharban Singh Ka
Purwa, district Kanpur Nagar.

3. Vinay Kumar Shukla, son of Sri Amar Nath
Shukla, R/o 61/11 Juhi lal Colony
Kanpur Nagar.

4. Pramod Kumar Shukla, son of Sri Ganga ram
R/o 44/3, Shastri Nagar,
Kanpur Nagar.

5. Jetendra Singh, Son of Sri Sheo Gulam Singh
R/o 127/428 Juhi bara Devi Kanpur Nagar.

6. Jakir Ali, S/o Julfikar Ali, R/o 167/4
Chandari Station, Kanpur Nagar.

Original Application no.1349 of 1998

Dinesh Kumar, son of Sri Shyam Lal
R/o Qr.No.85/116 Laxmipurwa
Kanpur Nagar.

Original Application No.1374 of 1998

1. Rajesh yadav, son of Sri gobardhan Lal
R/o block No.56/1, Babupurwa Colony
Kidwai Nagar, Kanpur.

2. Jai Kumar, S/o Sri Jai ram Pal, R/o
Vill.Pachera,PO Raipalpur,Kanpur Dehat

3. Virendra Kumar,S/o Sri Kanhaiya Lal
R/o C-27 Rajeev Nagar, Yashoda Nagar,
Kanpur Nagar.

4. Ram lakhan, S/oSri chhote Lal
R/o Vill.Pandey Newada,PO Koshipur
Kanpur Dehat.

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5. Arjun Kumar Sharma,S/o Sri Sadasiv Sharma
R/oSaharan colony, Koyla Nagar
Kanpur Nagar

6. Manoj Kumar, S/o Sri K.K.Gupta
R/o Q.No.128/33 F Block
Kidwai nagar, kanpur Nagar.

7. Jagdish Gupta, S/o Sri Bhagirathi Gupta
C/o Nand Lal Gupta, Q.No.66/291Kachhiyana
Mahal, Harbans Mahal,
Kanpur Nagar.

Original Application No.1463 of 1998

1. Hari bhajan Singh, son of Shri Bhala Singh
R/o Qr.no.25,O-Block,Deoki nagar
Yashoda Nagar, Kanpur Nagar.

2. Vimal Kumar Bajpai, S/o Sri Satya Narain Bajpai
R/o 405/E Barra-5 Kanpur Nagar.

3. Raj Kumar,son of Sri krishna Bahadur
R/o Qr.no.166A, Chandari, sujat Ganj,
Kanpur Nagar.

4. Vijay singh, son of Sri Nar Bahadur Singh
C/o Ashok Kumar Dwivedi, Qr.No.154,D Block
Shyam Nagar, Kanpur Nagar.

5. Sheo mangal Saxena,S/o Moti lal Saxena
Qr.no.621/S-Block, Yashoda Nagar
Kanpur Nagar.

..... Applicants

(By Adv:S/Shri K.C.Sinha/B.N.Singh)

Versus

1. Union of India through the Secretary
Ministry of Defency, Government of
India, New Delhi.

2. General Officer Commanding in Chief
Head Quarter Central Command,
Lucknow.

3. Director General of Ordinance Services
Army Head Quarter,New Delhi

4. Major General Sri Rajan Anny
General Officer, Commanding Head
Quarter-6 Mountain Division,
Bareilly.

5. Commandant, Central Ordinance Depot
G.T.Road, Kanpur.

..... Respondents

(By Adv: Shri Satish Mandhyan)

O R D E R(Reserved)

(By Hon.Mr.Justice R.K.Trivedi,V.C.)

In this bunch of OAs questions of fact and law are similar and they can be conveniently decided by a common order against which the counsel for parties have no objection.

The facts in brief giving rise to these applications are that the Army head Quarters released vide order dated 30.8.1996, 68 vacancies of Mazdoors , vide order dated 20.9.1996, 8 vacancies of Firemen, and vide order dated 10.10.1996, 2 vacancies of Messengers for being appointed in Central Ordinance Depot, G.T.Road, kanpur. The Respondent no.5, Commandant,COD Kanpur sent requisition to the Employment Exchange Office on 14.1.1997 for sponsoring names of eligible candidates for the above three categories of the posts. The Employment Exchange Officers of Kanpur(Nagar) and Kanpur(Dehat) forwarded names of 845 candidates for the post of mazdoors, 46 names for the post of Firemen and 53 names for the post of Messengers. Army Headquarter vide its letter dated 13.8.1997 directed the respondent no.5 to finalise the recruitment by 30.8.1997. This period was further extended to 29.11.1997. Prospective candidates were informed for the test/interview to be held on 25/26.11.1997. To carry out the selection two Boards of Officers were constituted. The first Board consisted of following Officers:-

(a) Presiding Officer - Maj.RPS Rai

(b) Members

1. - Capt.Tarun Parashar
2. - Lt.Anubha Rathaur
3. - OOC Shri Jai Singh (SC/ST Rep)

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(c) Ex Officio Member - SLO Shri B.N.Prasad

This Board conducted the selection of 68 mazdoors on 25.11.1997.

The second Board consisting of following Officers carried out the selection of 8 Firemen and 2 Messengers on 26.11.1997.

(a) Presiding Officer - Maj.R.Nagpaul

(b) Members 1. - Capt.Vaneet Mehta

2. - OOC Shri S.P.Gulati

3. - OOC Shri Jai Singh (SC?ST Rep)

(c) Ex Officio Member - SLO Shri B.N.Prasad

The selection proceedings of the aforesaid Boards were approved on 20.12.1997. The result was declared on the same day. Army Headquarters vide letter No.B/05211/C/V/)S-14 dated 21.5.1998 gave clearance to issue appointment letters. 27 appointment letters were processed and signed by the Commandant on 26.5.1998 itself and they were despatched by registered post on the same day. Some of the successful candidates appeared on 27.5.1998 and reported for joining duties. however, various complaints were received against the selection proceedings, the Army Headquarter vide a telex order dated 27.5.1998 directed to keep the appointments in abeyance until further orders. This telex message was followed by letter No.AHQQ No.370726/05-14 dated 27.5.1998.

Aggrieved by this action of the Army headquarter aforesaid applications have been filed in this Tribunal for quashing the order dated 27.5.1998 and for a direction to the respondents to permit the selected candidates to discharge their duties and to pay their salary and other benefits admissible aginst their posts w.e.f. 26.5.1998. It has also been prayed that a

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direction be given to the respondents to issue appointment letters to remaining selected candidates as per list dated 20.12.1997 and they may be treated in service.

The leading case OA No.917/98 has been filed by 5 labour unions in the representative capacity, and although one selected candidate Ashok Kumar has also joined as applicant no.6. The remaining applications have been filed by the selected candidates. Counter and Rejoinder affidavits have been exchanged. We have heard Shri K.C.Sinha and Shri B.N.Singh learned counsel for the applicants and Shri Satish Mandhyan learned counsel appearing for the respondents.

learned counsel for the applicants have submitted that on requisition by the Commandant,COD names of candidates were sponsored by the Employment Exchange Officers of Kanpur(Nagar) and Kanpur(Dehat). Selection proceedings took place in accordance with the procedure prescribed and the result was declared on 20.12.1997. It is further submitted that after clearance by Army headquarters appointment orders were issued on 26.5.1998 in pursuance of which applicant Vinod Kumar(of OA no.620/98),Kanhaiya Lal(of OA no.621/98) joined on 28.5.98 whereas Mohd.Klan(of OA No.622/98) joined on 27.5.98 and Mukesh Kumar(of OA No.623/98) joined on 29.5.98. It is submitted that as the applicants had joined there could not be any legal and valid reason to stop them from discharging their duties. The action of the respondents is illegal and violative of principles of natural justice as they were not given opportunity of hearing. It has been further submitted that challenging the aforesaid selection writ petition no.2121/98 was filed before Hon'ble High court which was dismissed on

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merits on 20.1.1998 / On similar complaints the respondents started action and have passed impugned order directing to keep the appointments in abeyance. It is submitted that the order of hon'ble High court had become final between the parties and it was not open to the authorities to reopen the matter. A copy of the order has been filed as (AnnexureII) to the OA No.619/98. The learned counsel has also placed reliance on a Division bench judgment of Hon'ble High Court in Case of Dr.Avnees Kumar and Others Vs. Director Indian Vetenary Research Institute,Izat Nagar, Bareilly and others, 1999(17)LCG-419 = 1999(1)ESC-702(DB)

Shri B.N.Singh though adopted the submissions made by Shri K.C.Sinha but he also made additional submissions. It is submitted that in Court of Enquiry none of the selected candidates had been made party. It is submitted that by a telegram (Annexure 12) to the OA No.917/98 request was made by the applicants for opportunity of hearing but opportunity was not provided. In response to telegram letter dated 8.8.1998 of COD(Annexure A13) was received in which it was submitted that in court of Enquiry only the complainants have been summoned to depose. It was also stated that if the applicants want to say anything, they may submit their statement in writing addressed to the court of Enquiry by 10.8.1998. The statement in writing may be submitted directly or through the administration. Learned counsel has submitted that the procedure adopted was wholly contrary to the principles of natural justice. It has also been submitted that before the Army headquarters gave clearance vide letter dated 21.5.1998 to issue appointment letters on the basis of the result declared, Complaints were made against selection proceedings, by the Union Leaders,

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complaints
whose kith and kins were not selected./were inquired into by Major General D.K.Sen Gupta who visited COD Kanpur on 1/2/12/1997 and after making thorough inquiry from officers of the Selection Board and office bearers of the Union applicants 1 to 5.He again visited Kanpur on 13.12.1997 and completed the inquiry but no illegality or irregularity was found in selection process. It is submitted that some interested persons again made anonymous complaints to the defence authorities. On these complaints Major General Shri Ramesh Mehta was deputed to make inquiries, who visited Kanpur on 3.3.1998 and after making thorough probe of the entire recruitment process and submitted his report to respondent no.3 Director General of Ordinance Services, who in turn submitted the report to respondent no.2, General Officer Commanding in Chief, headquarter Central Command. After being satisfied with the inquiry report the Central Command gave clearance for issuing appointment letters. Learned counsel has submitted that aforesaid facts have not been denied in the Counter affidavit. It has been submitted that as the inquiries were already held on the complaints made, a fresh order for holding a Court of Enquiry only amounted to abuse of the Authority at the insistance of certain elements who were not satisfied as their kith and kins were not selected. It has also been submitted that in this matter certain political authorties also intervened. In this connection reliance has been placed in letter dated 21.5.1998(Annexure A-5) by which clearance was given to issue appointment letters and the Minutes of the 11th Meeting(10th term) of Army headquarter JCMCouncil, in which item no.36 shows that a question was raised by one

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Shri P.K.Srivastava that though the recruitment process was under investigation the appointment of two persons who had already joined duties has also been held in abeyance. The DGOs explained that the recruitment had been kept in abeyance as per the instructions of Rakshamantry till the finalisation of the Court of Enquiry already ordered. Till then status-quo was to be maintained. Learned counsel has further submitted that the appointments have been kept in abeyance on account of political interference, though otherwise the defence autorities were fully satisfied about the genuineness of the selection proceedings. It is submitted that more than two years have passed but the Court of Enquiry has not been concluded. The fate of the selected candidates is hanging in uncertainty. It is submitted that the order directing to keep the appointments in abeyance cannot be sustained.

Shri Satish Mandhyan learned counsel appearing for the respondents on the other hand, submitted that the Court of Enquiry was an open inquiry and anybody interested may appear and give statement. In this connection he has placed before us para 5 of SCA dated 11.11.1999. Learned counsel has also placed before us the opinion of the Enquiry Officer which has been filed as (Annexurel) to the Supplementary counter affidavit. Alongwith the written submission Shri Satish Mandhyan has filed extracts of the report of the Court of Enquiry from pages 204 to 217 which contains findings. A copy of the written submissions including the report was served on the counsel for the applicants on 11.8.2000. Learned counsel has submitted that by way of mere selection no

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right is created in favour of the selected candidates. It is always open to the authorities to enter into the genuineness and legality of the selection proceedings. It is also submitted that the earlier enquiries held were not found sufficient as indepth inquiry was not conducted. Learned counsel has submitted that during the pendency of the Court of Enquiry the appointments were rightly kept in abeyance to avoid complications. It has also been submitted that even though some of the candidates joined in very doubtful circumstances on the basis of the appointment letter issued, their case cannot be treated differently from the other candidates in whose favour the appointment letters have already been issued or those who had been declared successful only. It is submitted that in order to maintain uniformity all the candidates have been treated equally. It has been submitted that the appointment letters were issued on 26.5.1998 by registered post and the joining was allowed on 27.5.1998 and 28.5.1998 without completing the other procedures. Learned counsel has submitted that this fact has also been subject matter of investigation by the Court of Enquiry. Learned counsel has submitted that until the conclusion of the Court of Enquiry and orders passed on the basis of the same by Competent Authority, these applications are premature and are liable to be rejected on this ground. It has also been submitted that in the facts and circumstances of the case as the legality of the whole selection is under challenge, the opportunity of hearing to the individual candidates is not required to be given. The learned counsel has submitted that the nature of the allegations and

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opinion of the Court of Enquiry may be well ascertained from the findings of the Court of Enquiry which shows that there were large scale mal-practices and the procedure prescribed was not followed. Learned counsel has placed reliance on various authorities which shall be discussed at the relevant places.

We have carefully considered the submissions of the learned counsel for the parties. From perusal of the record it appears that the Court of Enquiry, consisting of Major General Rajan Aneyas, Presiding Officer and Brig.A.K.Pandey and Brig.G.Dawar as Members, has already completed the investigation. On the report of the Court of Enquiry decision has to be taken by the Comptent Authority. In these facts and circumstances, in our view, it shall not be appropriate for this Tribunal to express any opinion with regard to the allegations against the selection proceedings and the findings recorded by the Court of Enquiry. We have also no doubt about the legal position that inspite of the fact, that the allegations against the selection proceedings by the Board of Officers, were enquired into by high Officers, a Court of Enquiry could be ordered subsequently for indepth investigation of the allegations made. The conclusion of the earlier inquiries, which were of the administrative nature, could not in any way restrict the descretion of the High Authorities to order a full-fledged Court of Enquiry under Army Act and Rules.

Now the question, which may be considered by this Tribunal, is with regard to the right of the selected candidates whose appointments have been

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directed to be kept in abeyance by the impugned order dated 27.5.1998. It is not disputed that result of the selection proceedings was declared on 20.12.1997. In pursuance of which appointment orders were issued in favour of some candidates. Out of which, some of them claim that they joined the posts on different dates between 27.5.1998 to 29.5.1998. Thus there are three categories. First category is only those whose names have been notified as selected candidates on 20.12.1997. The second category is of those in whose favour appointment letters have been issued on 26.5.1998 and the third category is of those who claim to have joined the post in pursuance of the appointment letter. From the record it appears that total 27 appointment letters were issued, out of which five persons namely, Vinod Kumar, Kanhaiya Lal, Mohd.Klan, Mukesh Kumar and Ram Janam Verma, claim to have reported for joining the post.

Hon'ble Supreme Court in case of 'State of Bihar and Ors Vs.Secretariat Assistant Successful Examinees Union 1986 and Others 1994 LAB.I.C.676 expressed the legal position of selected candidates in para 10 of the judgment in following words:-

> "It is now well settled that a person who is selected does not, on account of being empanelled alone, acquire any indefeasible right of appointment. Empanelment is at the best a condition of eligibility for purposes of appointment, and by itself does not amount to selection or create a vested right to be appointed unless relevant service rule says to the contrary.(See Sankarshan Dash Vs.Union of India 1991(3) SCC 47:(1991 Lab IC 1460) and Sabita prasad V.State of Bihar, 1992(3) Scale 361."

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In case of N.Mohanan Vs. State of Kerala & Others AIR 1997 SC 1896, Hon'ble Supreme Court expressed the similar view in case of Jai Singh Dalal and Others Vs. State of Haryana and others 1993(1) SLR-422 Hon'ble Supreme Court held in following words-

"That the authority retains inherent powers to revise the selection proceedings. The authority which have power to specify the method of recruitment must be deemed to have an inherent power to revise and substitute the same if for good reasons considers the same necessary."

In case of Biswa Ranjan Sahoo and Ors Vs. Sushanta Kumar Dinda and Ors. J.T. 1996(6)515. In para 3 & 4 the Hon'ble Supreme Court expressed the legal position, in respect of a case where mass scale mal-practices are alleged to have been adopted, in the following words:-

"A perusal thereof would indicate the enormity of mal-practices in the selection process. The question, therefore, is: whether the principles of natural justice is required to be followed by issuing notice to the selected persons and hearing them ? It is true, as contended by Mr.Santosh Hegde, learned Senior counsel appearing for the petitioners, that in the case of selection of an individual his selection is not found correct in accordance with law, necessarily, a notice is required to be issued and opportunity be given. In a case like mass mal-practice as noted by the Tribunal, as extracted herein before, the question emerges: whether the notice

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was required to be issued to the persons affected and whether they needed to be heard? Nothing would become fruitful by issuance of notice. Fabrication would obviously either be not known or no one would come forward to bear the brunt. Under these circumstancess, the Tribunal was right in not issuing notice to the persons who are said to have been selected and given selection and appointments. The procedure adopted are in flagrant breach of the rules offending Articles 14 & 16 of the Constitution."

4."It is need-less to mention that the General Manager of the Railways should personally conduct the enquiry and find persons who are responsible for this malpractice and take appropriate disciplinary action against those persons and submit the result of the report of the action to this court expeditiopusly."

From the aforesaid judegments the legal position appears to be well settled that the selected candidates do not get indefeasible or vested right merely by selection and appointment. If the authority which have power to specify the method of recruitment is satisfied that procedure had not been followed and selection is not genuine, it can intervene at any stage to set the things right. In our opinion, Army headquarter is Competent Authority and has inherent power to revise and review the entire selection process.. We have perused the findings of the Court of Enquiry for the limited purpose to ascertain as to whether the impugned order directing to keep the selection and appointments in abeyance was justified and reasonable. After perusal of the findings of the Court of Enquiry we have no

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hesitation in saying that the order was reasonable and justified in the facts and circumstances of the case and calls for no interference by this Tribunal.

However, considering the delay involved we are of the opinion that the respondents may be directed to bring the Court of Enquiry to a logical conclusion expeditiously within a specified time.

For the reasons stated above, though we do not find any merit in the OAs and all the applications are being dismissed, however, the respondents are directed to conclude the Court of Enquiry and pass orders in accordance with law expeditiously, in any case within a period of four months from the date a copy of this order is filed before the Authority Competent in this regard. There will be no order as to costs.