

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

...

Original Application No. 1253 of 2001.

this the 23rd day of April 2002.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON'BLE MAJ GEN K.K. SRIVASTAVA, MEMBER (A)

Prem Chandra, S/o late Awadesh Chandra, General Manager,
Government Opium & Alkaloid Works, Ghazipur.

Applicant.

By Advocate : Sri S. Singh.

Versus.

1. Union of India through Secretary, Ministry of
Finance, Department of Revenue, North Block, New Delhi
2. Under Secretary to the Government of India, Ministry
of Finance, Department of Revenue, New Delhi.
3. Sri Ashok Chakrabarti, Under Secretary to the
Government of India, Ministry of Finance, Department
of Revenue, New Delhi.

Respondents.

By Advocate : Km. S. Srivastava.

ORDER (ORAL)

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

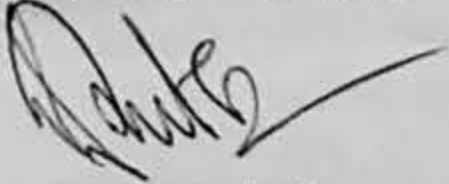
By this application under Section 19 of the A.T.
Act, 1985, the applicant has challenged the memo of
charges dated 27.6.2001 served on him, with the
allegation that during his service period the applicant
has entered bigamy. The applicant has challenged
the memo of charges on the ground of malafide and
bias on account of thinking of the Chief Controller
Sri S.K. Goel that such factories should not be
managed by Technocrats, but only by civil servants.
The applicant filed his reply to the memo of charges
stating therein that the lady with whom the second

marriage is alleged with the applicant, is infact ^{the u} wife of his brother, during the pendency of this O.A.

However, Sri S.K. Goel, Chief Controller has been transferred and some other officer has taken over. The lady with whom the marriage was alleged by the applicant has also died. In these changed circumstances, we do not find it ^{necessary} ~~to permit~~ to continue this O.A. with regard to challenge against the memo of charges. The O.A. is accordingly disposed of. However, it shall be open for the applicant to raise ^{these grounds} before the disciplinary authorities, which may be considered by the authorities and this order will not come in the way of the applicant.

2. The learned counsel for the applicant has also submitted that the respondents are forcing the applicant to vacate the Government accommodation, which was allotted to him as General Manager and ^{he is intended to} realise the penal rent if not vacated. This Tribunal vide order dated 21.2.2002 passed in O.A. no. 741/01 directed the respondents to conclude the disciplinary proceedings against the applicant within a period of six months. In view of the aforesaid directions, the respondents are directed to conclude the disciplinary proceedings within the time mentioned above and the applicant may be allowed to retain the Government accommodation on payment of usual charges till the completion of the enquiry. There will be no order as to costs.

3. Copy of this order be given to the counsel for the parties within 48 hours.


MEMBER (A)


V.C.

GIRISH/-