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OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD.**

Original Application No.1205 of 2005.

Allahabad, this the 24th day of October, 2005.

**Hon'ble Mr. A.K. Bhatnagar, Member-J**  
**Hon'ble Mr. D. R. Tiwari, Member-A**

Hari Shankar Gautam,  
Lower Divisional Clerk,  
Suspended Income Tax Office, Agra,  
R/o West Pratap Nagar Moholi Road, Mathura. -Applicant.

(By Advocate : Shri B. P. Verma)

Versus

1. Union of India, through Secretary,  
Ministry of Finance, New Delhi.
2. Commissioner of Income Tax-1,  
Income Tax Bhawan, Sanjay Place, Agra.
3. Assistant Commissioner, Income Tax,  
Range-3, Mathura. - Respondents.

(By Advocate : Shri Anil Dwivedi)

ORDER

By Hon'ble Mr. A. K. Bhatnagar, J.M. :-

By this OA, the applicant has prayed for the following reliefs: -

- (1) To allow the aforesaid O.A. with costs,
- (2) To direct the respondents to reinstate the petitioner in service on the post of L.D.C. as work before suspension and to quash the order dated 3.11.2003 and 10.11.2003 passed by respondent No.3 as well as order dated 23.7.2004 and order/charge-sheet dated 27.4.2005 passed by respondent No.2.
- (3) To grant such other and further relief as this Hon'ble Court may deem fit and proper in the circumstances of the case.
- (4) To award the costs of the petition to the petitioner against the respondents.

2. According to the applicant, he was working as L.D.C. in the respondents' establishment. At the relevant time, a charge-sheet

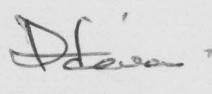
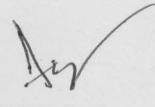
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(3)

dated 27.4.2005 was issued against the applicant. The applicant filed reply and explanation against the said memorandum, filed as Annexure-9. The grievance of the applicant is that he was suspended on 3.11.2003 in contemplation of the departmental inquiry and since then he is continuing under suspension but the inquiry has not been completed so far. Learned counsel further submitted that the applicant will be satisfied if inquiry against him is concluded as expeditiously as possible as the applicant is suffering monitory loss as well as mental agony.

3. After hearing the counsel, we consider it appropriate that this OA can be disposed of finally at the admission stage itself by giving appropriate directions.

4. Under the facts and circumstances and in the interest of justice, we dispose of this OA by issuing a direction to the Competent Authority/respondent No.3 i.e. Assistant Commissioner, Income Tax, Range-3, Mathura to complete the inquiry within a period of four months from the date of receipt of copy of this order as per law. The applicant is also directed to co-operate with the inquiry proceedings for its early disposal. No costs.

  
MEMBER-A  
MEMBER-J

RKM/