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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD

ORIGINAL APPLICATION NO.147 OF 2005

ALLAHABAD THIS THE 6th DAY OF FEBRUARY 2006.

HON'BLE MR. K.B.S. RAJAN, J.M.

HON'BLE MR. A. K. SINGH, A.M.

Moti Lal Singh,
S/o Late Har Dayal Singh,
Resident of Railway Quarter No.442/AB,
Indian Institute Colony,
Mughalsarai, District-Chandauli
posted as Senior Clerk under Senior Divisional
Operating Manager, East Central Railway,
Mughalsarai.

. Applicant.

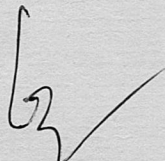
(By Advocate Shri V. R. Dwivedi)

Versus

1. Union of India- Notice to be served upon-
The General Manager, East Central Railway,
Hajipur (Bihar).
2. The Divisional Operating Manager,
East Central Railway,
Mughalsarai (District-Chandauli)-The
Disciplinary Authority.
3. Shri Pratik Majumdar,
Enquiry Inspector and Enquiry Officer,
Head Quarter: Kolkata At Fairlie Place
93rd Floor); 17-Netaji Subhash Road,
Kolkata-700001.
4. The General Manager,
Eastern Railway,
Fairlie Place, Neta-ji-Subhash Road,
Kolkata-700001.

. Respondents.

(By Advocate Shri A. K. Gaur)



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O R D E R

HON'BLE MR. K.B.S. RAJAN, J.M.

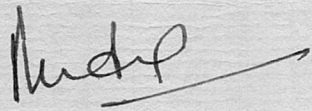
The applicant is aggrieved by the issue of the charge sheet. Charge sheet issued as early as in 2000, which has not been finalized till now. Even though by order dated 19.10.2003 in O.A. No.1422/03 a period of four months was calendared to complete the entire proceedings. It is stated that the charged officer has given his defence on 25.06.2004. It is further stated that on 25.07.2005 the Disciplinary Authority has changed the Enquiry Authority. It is stated to have declined to proceed with the case for personal reason.

2. Without going into the merits of the charge sheet we are of the view that the respondents have unnecessarily dragged the proceedings for the last six years and their non adherence to the time limit scheduled by this Tribunal is deprecated. The respondents are directed to complete the disciplinary proceedings and the disciplinary authority may pass suitable orders in accordance with law within a period of three months from the date of communication of this order. The Disciplinary Authority shall direct the Inquiry Authority to conduct the proceedings on day-to-day basis if so required so that without seeking further time the disciplinary proceedings are completed. If no order is passed by the Disciplinary Authority within three months from the date of communication of

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this order (subject to full cooperation of the applicant) the proceedings shall be deemed to have been closed. No Costs.



Member-A



Member-J

/ns/