

OA No. 291/672/2016

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORIGINAL APPLICATION NO. 291/672/2016

DATE OF ORDER: 24.03.2021

CORAM

HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER
HON'BLE MRS. HINA P. SHAH, JUDICIAL MEMBER

Jagdish Narayan Meena S/o Shri Ram Nath Meena,
Aged about 50 years, R/o B-87, Shiv Shakti Nagar,
Jagatpura, Jaipur, Rajasthan. Presently working as
Inspector in the Audit Commissionerate, Department
of Central Excise and Customs, Jaipur.

....Applicant

Shri Amit Mathur, counsel for applicant (through Video Conferencing).

VERSUS

1. Union of India through its Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi.
2. The Commissioner, Central Excise & Customs, NCR Building, Statue Circle, Jaipur.

.... Respondents

Shri N.C. Goyal, counsel for respondents (through Video Conferencing).

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ORDER (Oral)

Per: Hina P. Shah, Judicial Member

The present Original Application has been filed by the applicant challenging the Memorandum dated 05.01.2016 (Annexure A/1) with the prayer that the aforesaid Memorandum be quashed and set aside and the respondents be directed to give all consequential benefits.

2. After issue of notices, the respondents have filed their reply and stated that after issue of charge-sheet, enquiry was conducted as per the procedure on the subject. The respondents have prayed that since no order has been passed in the enquiry, the present Original Application is to be dismissed as it is premature as well as the applicant has not availed the remedies available to him under Section 20 (1) of the Administrative Tribunals Act, 1985.

3. Thereafter, the respondents have filed an M.A. No. 291/03/2021, for taking order dated 14.02.2019 (Annexure MA R/1) on record, which has been allowed vide order dated 08.01.2021 and the same has been

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taken on record. From the aforesaid order dated 14.02.2019, it is clear that the enquiry has been completed and a penalty of 'Censure' under Rule 11 (i) of the CCS (CCA) Rules, 1965 has been imposed upon the applicant.

4. The same was argued at the time of hearing by the learned counsel for the respondents and also agreed by the learned counsel for the applicant. In view of the same, it is clear that the present Original Application has become infructuous.

5. In view of the above position, the present Original Application is dismissed as infructuous. No costs.

(HINA P. SHAH)
JUDICIAL MEMBER

(DINESH SHARMA)
ADMINISTRATIVE MEMBER

Kumawat