

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

...

Registration O.A. No. 1461 of 1992

A.C. Srivastava, ... ... ... Applicant.

Versus

Union of India  
and others ... ... ... Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. K. Obayya, Member (A)

( By Hon. Mr. Justice U.C. Srivastava,

By means of this application, the applicant has prayed that the respondent no. 1 may be directed to appoint an ad-hoc disciplinary authority by way of replacing the respondent no. 2 and the respondent no. 1 may be directed to change the enquiring authority and appoint an independent enquiring authority who is not subordinate to the respondent no. 2. and a direction may also be issued to the respondent no. 3 to provide the applicant all the additional documents before the commencement of the regular hearing. The applicant has got certain grievances against the enquiry officer and according to him he is a biased officer and he did not expect justice from him. The applicant has already approached to the Secretary of the department for change of the disciplinary authority. As the matter has already been referred to the Secretary, the Secretary will obviously, consider and find as to whether it is a fit case in which the disciplinary authority be changed or not and the matter will not be left for adjudication by the courts of law subsequently, and whether the procedure which is being followed by the enquiry officer

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is in conformity with the principle of natural justice or not. It is not for us to issue any direction at this stage. As the applicant has already approached to the superior authority which can do the needful in case it is desirable or necessary. The application is rejected with the above terms. No order as to the costs.

*B. Robynse*  
Member (A)

Dated: 16.10.1992  
(n.u.)

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Vice-Chairman