

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

O.A.No. 389 of 1992

Dr. Akhterul Alam Faizi.....Applicant
Versus

Union of India and others.. Respondents

Hon'ble Mr. Justice S.K.Dhaon, V.C.

Hon'ble Mr. K.Obayy, A.M.

(By Hon'ble Mr. Justice S.K.Dhaon, V.C.)

Sri K.C.Sinha has put in appearance on behalf of the respondents and he has been heard in opposition in this application. In view of the order we are about to pass, it is not necessary to call for a counter affidavit. However, we are disposing of this application finally.

2. On 17th August 1990 services of the petitioner was suspended. On that date, he was performing the job of transmission executive. The said order was followed by an order terminating his services. Thereafter the relevant authority withdrew the order of termination. Disciplinary proceedings was initiated as against the applicant by giving him a charge sheet. This chargesheet was supplemented by another charge sheet. In fact, it is stated at the Bar that the new charge sheet contains all the allegations made in the first charge plus some additional material. Sri K.C.Sinha states that the department shall treat the first charge sheet as having been withdrawn and proceedings, as against the applicant, shall now proceed on the basis of the latest charge sheet given to him.

3. Learned counsel has urged that the giving of the second charge sheet is a malafide act. We are not inclined to interfere at this stage. We are, therefore, refraining from expressing any opinion on the merits of the case. We are doing so because we do not want to prejudice the case of either party. Learned counsel for the applicant (Sri M.A.Qiddiqi) has stated at the Bar that the applicant has submitted his reply to the last charge sheet and he proposes to file no further reply. We, therefore, make it clear that the applicant will not be permitted to

to give any further reply.

4. We direct the punishing authority to dispose of the disciplinary proceedings as expeditiously as possible.

5. With these directions this application is disposed of finally.

A.M.

V.C.

Dt: Allahabad

30th June, 1992

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