

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 23rd day of April 2002.

QUORUM : HON. MR. C. S. CHADHA, A.M.

HON. MR. A.K. BHATNAGAR, J.M.

O. A. No.1446 of 1994.

Sahu Mal, Ex-Store Keeper s/o Sri Prabhu Dayal, Ordnance Clothing Factory, Shahjahanpur, at present residing at RZ-73/B, Block H, Sagarpur West, New Delhi.

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..... Applicant.

Counsel for applicant : Sri K.C. Saxena.

Versus

1. Union of India through the Secretary, Ministry of Defence, Department of Defence Production, New Delhi.

2. The Addl. Director General of Factories, Ordnance Equipment Factories Group, Sarvodaya Nagar, Kanpur.

3. The General Manager, Ordnance Clothing Factory, Shahjahanpur

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..... Respondents.

Counsel for respondents : Sri A. Mohiley.

O R D E R (ORAL)

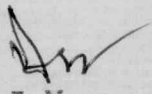
BY HON. MR. C. S. CHADHA, A.M.

The case of the applicant is that in departmental proceedings initiated against him, the enquiry officer has exonerated him of all the charges and yet he was punished. He, therefore, approached this Tribunal and in O.A. No.152/88 this tribunal passed an order on 20.4.92 quashing the punishment order and directed the respondents to give ^{the} applicant a fresh opportunity to be heard and then dispose of the matter. Accordingly vide Annexure A-3, the disciplinary authority passed a fresh order after taking a fresh representation from the applicant. It is seen from the body of the order that a memo disagreeing with the enquiry report was also served on Sri Sahu Mal because his representation thereon has been considered on merits. Since the matter has been dealt with

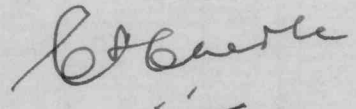
C. S. Chadha

in accordance with the direction of the Tribunal and due opportunity has been given to the applicant, we do not see any necessity of going into the merits of the charges. If the procedure adopted is correct, such interference is not required. After following the due process, the applicant was retired compulsorily w.e.f. 24.7.93. In the circumstances of the case, we do not see any reason to interfere with the punishment order. The O.A. is dismissed.

There shall be no order as to costs.


J.M.

Asthana/


A.M.