

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 394 OF 2003

MONDAY, THIS THE 5th DAY OF MAY, 2003

HON'BLE MRS. MEERA CHHIBBER, MEMBER (J)

Nathoo Lal
s/o Late Shri Kewal Ram,
Mohalla Chunni, Chandausi,
District-Moradabad.

.....Applicant

(By Advocate : Mrs. Mahima Maurya)

V E R S U S

1. Union of India through the Secretary,
Ministry of Custom and Central Excise,
North Block, New Delhi.
2. Commissioner,
Customs and Central Excise,
Meerut (II).
.....Respondents

(By Advocate : Shri G.R. Gupta)

O R D E R

By this O.A. applicant has sought the following reliefs:

- "(i) That the Hon'ble Tribunal may direct the respondents to cancel the order of transfer dated 19.03.2003 so that he may effectively defend himself before the enquiry if conducted in respect of the charge-sheet dated 30.10.2000.
- (ii) That this Hon'ble Tribunal may set aside the order dated 12.03.2003 cancelling his promotion as Assistant Commissioner, Central Excise and may command the respondents to post him as Assistant Commissioner in view of the fact that he had already been promoted as Assistant Commissioner and had been ordered to join at Allahabad.
- (iii) That the respondents may be commanded to bring up the charge sheet dated 30.10.2000 and get the same quashed for it has been pending for more than 2½ years and there has been no processing at all and it is obvious that it does not deserve to be perused.



(iv) That the Hon'ble Tribunal may pass such other and further reliefs as may be deemed fit and proper in the circumstances of the case; and

(v) to order for costs of the application to the applicant."

2. Today, when the matter came up, counsel for the applicant submitted that she is not pressing any other relief either against transfer or against cancellation of his promotion or against the chargesheet. It is stated by the counsel that she only wants that some directions may be given to the respondents to complete the inquiry, which is pending against the applicant since October, 2002 within a stipulated period.

3. I have heard both the counsel and perused the pleadings as well.

4. Admittedly, chargesheet was issued to the applicant on October 30th, 2000 which is evident from page 14 of the O.A. It is submitted by the applicant that thereafter no proceedings have taken place before the Inquiry Officer. Thereafter, even though applicant alongwith number of other persons was promoted vide order dated 10.12.2002 but the same has been cancelled with regard to applicant vide order dated 12.02.2003 (Pg.32). Only due to the pendency of the chargesheet so he wants this inquiry to be completed soon so that he may get his promotion honourably.

5. I think that the request made by the applicant's counsel is very genuine and justified. Respondents can have no objection if they are given a direction to complete the inquiry within a period of 4 months from the date of receipt of a copy of this order. Of course applicant is also directed to co-operate in the inquiry so that it may be completed within the stipulated time

// 3 //

6. With the above direction, this O.A. is disposed off ^{finally} at the admission stage itself. No order as to costs.



Member (J)

shukla/-