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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.1069 OF 2006

THURSDAY, THIS THE 5TH DAY OF APRIL, 2007

HON'BLE MR. K. S. MENON, MEMBER-A
HON'BLE MR. S. K. DHAL, MEMBER-J

Ghanshyam Pathak aged about 48 years,
Son of Late Ram Murti,
Resident of Village-Pathkauli P.O. Kaurihar,
District-Allahabad and serving in 508 Army Base
Workshop, Allahaad as T.C.S.

. Applicant

By Advocate : Shri S. Lal

Versus

1. Union of India through Defence Secretary,
Ministry of Defence, South Block,
New Delhi-110011.
2. Director General EME (EME-Civ) Army Head-Quarters
D.H.Q., P.O. New Delhi-110011.
3. Commander, Base Workshop Group EME Meerut Cantt.
4. Commandant & MD 508 Army Base Workshop,
Allahabad Fort-211005.
5. Colonel Gautam Banarjee, Inquiry Officer 508 Army
Base Workshop, Allahabad.

. Respondents

By Advocate : Shri S. Singh

O R D E R

HON'BLE MR. S. K. DHAL, MEMBER-J

The learned counsel for the applicant has filed OA challenging the order of the Appellate Authority who has turned down his request for change of Enquiry Officer. During the course of arguments learned counsel for the applicant submitted that he has made two representations to the Disciplinary Authority requesting him to change the Enquiry Officer on the ground of bias and hostile and those two applications

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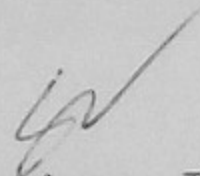
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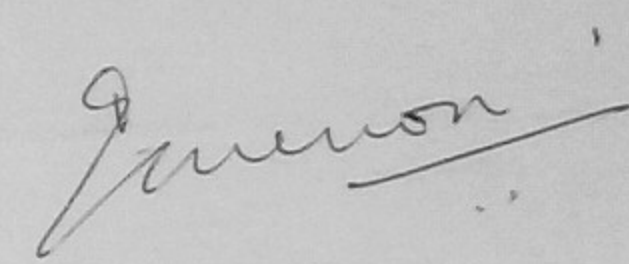
are pending. So in that case rightly the Appellate Authority has passed the order to interfere because no decision was taken on behalf of applicant.

2. Learned counsel for the respondents has submitted that it is not known that whether any application has actually filed for change of Enquiry Officer or not.

3. Upon hearing the learned counsel for the parties, we are of the view that the ends of justice will met if direction is given to respondent no.4 to dispose of the representation of the applicant if pending before him as expeditiously as possible.

4. With all these observations the OA is disposed of accordingly. No Costs.


Member-J


Member-A

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