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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No.448/2006

FRIDAY, THIS THE 28th DAY OF APRIL, 2006

HON'BLE MR. JUSTICE KHEM KARAN ... VICE CHAIRMAN
HON'BLE MR. A.K. SIGH ... MEMBER

Ajay Kumar Gaur,
Son of Shri R.S. Gaur,
R/o At 13-6, Krishi Nagar Colony,
Indian Gross Land,
Gwalior Road,
Jhansi.

Applicant

(By Advocate Shri Amit Kumar)

Vs.

1. Union of India,
Ministry of Agriculture, through
Secretary,
Indian Council of Agricultural Research,
Krishi Bhavan,
New Delhi.

2. Director,
Indian Grassland and Fodder
Research Institute,
Gwalior Road,
Jhansi.

3. Senior Administrative Officer,
Indian Grassland and Fodder
Research Institute,
Gwalior Road,
Jhansi.

Respondents

(By Advocate Shri Soumitra Singh,
Senior Central Govt. Standing Counsel)

ORDER

Hon'ble Mr. Justice Khem Karan, Vice Chairman :

Heard Shri Amit Kumar, learned counsel for the applicant and Shri Soumitra Singh, the learned Senior Central Government Standing Counsel on this O.A. We have also perused the contents of the application and the papers annexed to it.

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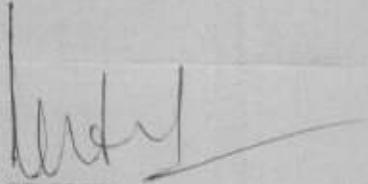
2. According to the averments made in the O.A., formal disciplinary proceedings are going on against the applicant on certain charges. It appears that the applicant was served with a charge sheet somewhere in July, 2003, and he submitted his written statement denying the charges in August, 2003. Since then, the inquiry is lingering on for one reason or the other. The applicant has prayed that the charge sheet be quashed and the authority concerned should be directed to release the increment which it has with-held owing to the pendency of these proceedings. Shri Amit Kumar has contended that firstly, the demand of the applicant for providing the services of a Defence Assistant is being ignored for the last more than 3-4 years, though the relevant rules dealing with the disciplinary matters provide for such services and secondly, by now more than 3 or 4 years have elapsed ^{to} ~~during~~ the pendency of these proceedings. So, according to Shri Amit Kumar, the charge sheet deserves to be quashed on the ground of delay. He has relied on judgment of a Bench of this Tribunal in the case of Bhagat Singh Vs. Union of India & Ors. reported in 1994 (28) ATC 306 in support of his contention.

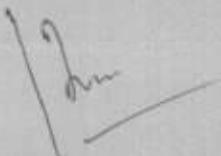
3. We are of the view that this Tribunal should not interfere at this stage on the grounds mentioned above. It is true that the proceedings have been pending for over a period of three years. But, under the circumstances, that, by itself is not a ground to quash the charge sheet. At this stage, interference of the Tribunal will not be justified.

4. So, this O.A. is disposed of finally with a direction to the Inquiry Officer/ Disciplinary Authority to expedite the disposal of the pending proceedings and if possible to conclude the matter within a period of four

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months from the date a certified copy of this order is produced before them,


(A.K. SINGH)
MEMBER (A)


(JUSTICE KHEM KARAN)
VICE CHAIRMAN

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