

*Chargeshet*

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. 177 of 1992  
~~XXXXXX~~

DATE OF DECISION 31.3.1992

Shri Natesan Iyer Petitioner

Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Advocate for the Respondent(s)

**CORAM :**

The Hon'ble Mr. R.C. Bhatt

**L Member (J)**

( ) The Hon'ble Mr. R. Venkatesan

**: Member (A)**

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

Shri Natesan Iyer,  
Block No. M-1,  
Room No. 8,  
Parasanth Appartment  
Opp. S.T. Nagar,  
Nadiad - 387 001

: Applicant

VS.

1. Union of India, through  
The General Manager,  
Western Railway,  
Headquarter Office,  
Churchgate,  
Bombay - 400 020.
2. Divisional Railway Manager,  
Western Railway,  
Pratapnagar,  
Vadodara.
3. Sr. Divisional Electrical Engg.,  
(Traction Distribution)  
Western Railway,  
Vadodara.
4. Asstt. Electrical Engineer,  
Traction Department,  
Western Railway,  
Godhra, at present working as  
Divisional Electrical Engineer,  
Construction Traction, Distribution,  
Bulsar.

: Respondents

O R A L - O R D E R

O.A. No. 177 of 1992

Date : 31.3.1992

Per : Hon'ble Shri R. Venkatesan

: Member (A)

The applicant argued his case in person. This  
is a matter where disciplinary proceedings have ~~not~~  
been initiated against the applicant and charge sheet  
has been issued to him and inquiry held. The inquiry  
report has been supplied to him in February, 1992.

The applicant has submitted <sup>the</sup> representation  
against the findings in the inquiry report on  
3.3.1992. The representation is yet to be disposed  
of by the respondents. In the meanwhile the applicant  
has come before this Tribunal with <sup>the</sup> prayer to set aside  
the charge sheet and findings of the inquiry officer.

2. The applicant contends that even though he has  
not exhausted the remedies as per rules, this is a  
fit case for interference of the Tribunal on account  
of the following factors :-

1. Disciplinary proceedings have not been initiated by authority who is competent.
2. The necessary documents requested by him have not been supplied to him.
3. He has not been given adequate time by the inquiry officer.
4. Certain representations made by him in July 1991 and later have not been considered by the respondents, <sup>who</sup> and have acted <sup>malafide</sup> according to him.

3. We find that the applicant has participated in the inquiry and has also submitted his representation against the report of the inquiry in which he has raised <sup>all</sup> the above points. He has to wait

for appropriate orders from the disciplinary authority taking into consideration the various points raised by him. We do not consider that the circumstances are so extra-ordinary as to fall for the interference of the Tribunal at this stage as contended by the applicant.

4. We therefore dismiss this application as being premature. This will not preclude the applicant from approaching this Tribunal if he does not receive satisfaction at the hands of the respondents, at the appropriate time.

  
(R. Venkatesan)  
Member (A)

  
(R.C. Bhatt)  
Member (J)

\*Ani.