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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK.

Original Application No. 457 of 1989.

Date of decision : November 15, 1990.

Rabindra Nayak ... Applicant.

Versus

Union of India and others ... Respondents.

For the applicant :: M/s. Depak Mista,
R.N. Naik, A. Deo,
B.S. Tripathy, Advocates.

For the respondents :: Mr. P.N. Mohapatra,
Addl. Standing Counsel (Central)

C O R A M :

THE HONOURABLE MR. B.R. PATEL, VICE-CHAIRMAN

A N D

THE HONOURABLE MR. N. SENGUPTA, MEMBER (JUDICIAL)

1. Whether reporters of local papers may be allowed to see the judgment ? Yes.
2. To be referred to the Reporters or not ? No
3. Whether Their Lordships wish to see the fair copy of the judgment ? Yes.

JUDGMENT

B.R. PATEL, VICE-CHAIRMAN, In this case the applicant has moved the Tribunal to quash the disciplinary proceeding which has been initiated against him vide Annexure-1. The charge is that the applicant fraudulently took medical advances on more than one occasion on the plea that his mother was admitted into the Hospital for treatment.

2. The respondents have maintained in their counter affidavit that it was not the mother of the applicant who was being treated in the Hospital but some other woman.

P.S.

3. We have heard learned counsel for the applicant and Mr.P.N.Mohapatra, learned Additional Standing Counsel (Central) for the respondents, and perused the papers. It has been urged on behalf of the applicant that though the proceeding was initiated as long back as 31.7.1987 it is still pending and in the meantime more than one enquiring officer has been appointed which has contributed to delay. The other ground urged is that it is a case of no evidence since infact the mother of the applicant was admitted and treated in the Hospital. Mr.Mohapatra on the other hand has urged that according to the information available with the Department some other woman was infact admitted and the applicant had no right to take medical advances towards the treatment of one who is not a member of his family. This is a factual matter which cannot be decided here. Since the disciplinary proceeding has already been initiated we do hereby direct that the proceeding should be completed within two months from today i.e. by the end of January, 1991. If it would not be completed by then then it would be deemed to have abated. This is also in compliance with the direction issued from time to time by the Director General, Posts & Telegraphs for expeditious disposal of disciplinary cases.

4. This application is accordingly disposed of.

No costs.

Mr. S. S. S.
..... 15.11.90
Member (Judicial)



Mr. N. N. N.
..... 15.11.90
Nice-Chairman

Central Admn.Tribunal,
Cuttack Bench, Cuttack.
November 15, 1990/Sarangi.