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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

ORIGINAL APPLICATION NO.95 OF 1990

Cuttack, this the 4th day of May, 1995

Bramhananda Jena

....

Applicant

-versus-

The Chairman, Central
Board of Trustees and others...


Respondents.

(FOR INSTRUCTIONS)

- 1) Whether it be referred to the Reporters
or not? *W*
- 2) Whether it be circulated to all the Benches
of the Central Administrative Tribunal? *no,*


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

04 MAY 95


(D.P. HIREMATH)
VICE-CHAIRMAN

...

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH : CUTTACK.

ORIGINAL APPLICATION NO.95/90

Cuttack, this the 4th day of May, 1995

CORAM;

THE HONOURABLE SHRI JUSTICE D.P.HIREMATH, VICE-CHAIRMAN
AND

THE HONOURABLE SHRI H.RAJENDRA PRASAD, MEMBER (ADMN.)

...

Bramhananda Jena,
s/o Baishnab Charan Jena,
working as Head Clerk in
the office of the Regional Provident
Fund Commissioner, Bhubaneswar ... Applicant.

By the Advocates - M/s S.Misra-1,
S.N.Misra,
S.K.Nayak-2, &
S.Mallik

-versus-

1. The Chairman,
Central Board of Trustees (EPF),
Shramshakti Bhawan, New Delhi.
2. The Central Provident Fund Commissioner,
Mayur Bhawan (9th Floor), Caunaught Circus,
New Delhi.
3. Regional Provident Fund Commissioner,
Janpath, Unit-IX, P.O/P.S-Bhubaneswar,
Dist.Puri.
4. A.R.Biswal, Head Clerk,
Office of the R.P.F.C., Sub-Regional Office,
Mangalabhawan, Rourkela-1.
5. Norottam Dhal, Head Clerk,
Office of the R.P.F.C., Bhavishyanidhi, Bhawan,
Bhubaneswar-7.

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6. Balaram Ray, Head Clerk,
Office of the R.P.F.C., Bhavishyanidhi Bhawan,
Bhubaneswar-7.
7. I. Mallick, Head Clerk,
Office of the R.P.F.C., Bhavishyanidhi
Bhawan, Bhubaneswar-7.
8. P.L. Bhuyan, Head Clerk,
Office of the R.P.F.C., Sub-Regional Office,
Mangalbhawan, Rourkela-1.
9. Eliyas Khan, Sr. Stenographer,
Office of the R.P.F.C., Bhavishyanidhi Bhawan,
Bhubaneswar-7.
10. K.C. Behera, Head Clerk,
Office of the R.P.F.C., Bhavishyanidhi Bhawan,
Bhubaneswar-3.
11. Kapileswar Barik, Head Clerk,
Office of the R.P.F.C., Sub-Regional Office,
Mangalbhawan, Rourkela-1.
12. B.D. Samal, Head Clerk,
Office of the Internal Audit Officer (Wz)
Bhavishyanidhi Bhawan, Bombay-51.
13. R.K. Pattnaik, Head Clerk,
Office of the Internal Audit Officer (Cz),
Nidhi Bhawan, Kanpur.
14. Srinivas Rath, Head Clerk,
Office of the Internal Audit Officer (Ez),
44-Park-street, Calcutta.
15. Sri B.N. Pattanaik, Head Clerk,
Office of the R.P.F.C., Bhavishyanidhi Bhawan,
Bhubaneswar-7.

..... Respondents.

By the Advocates

-

Mr. P.N. Mohapatra
(Respondents 1, 2 & 3)

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O R D E R

D.P.HIREMATH, VICE-CHAIRMAN

As the disciplinary proceeding against the petitioner has been pending for more than two years before the disciplinary authority after the enquiring authority submitted its report and even if it is considered that certain formalities at two stages have to be observed before a final action is taken by the disciplinary authority, in our view it is for too long that the disciplinary authority is sitting over this file and it is being made a ground for denying promotion to the petitioner. In the circumstances, we deem it necessary that the disciplinary authority should dispose of the proceeding within thirty days from the date of receipt of copy of this order. The respondents' counsel shall receive a copy of this order and transmit it to the disciplinary authority forthwith. It is further directed that there shall be no D.P.C. sitting to consider promotion within these thirty days allowed for completion of the disciplinary proceeding, and if the disciplinary enquiry is complete as directed by this Tribunal, thereafter the D.P.C.

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shall meet and take up the case of the petitioner as well for consideration of promotion along with others in the light of the order of the disciplinary authority.

With this observation and direction, the Original Application is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMINISTRATIVE)

04 MAY 95


(D.P. HIREMATH)
VICE-CHAIRMAN

A.Nayak, P.S.