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Central Administrative Tribunal,

Cuttack Bench, Cuttack.

Original Application No. 329 of 1992.

Date of disposal: 5th February, 1993.

Ganesh Biswal ... Applicant  
Versus  
Union of India and ors.... Respondents.

For the Applicant ... Mr. A.K.Nanda,  
For the Respondents ... Mr. Ashok Misra,  
Sr. St. Counsel (Central)

...

CORAM:

THE HONOURABLE MR. K.P. ACHARYA, VICE CHAIRMAN

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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 His Lordship wish to see the fair copy of the judgment? Yes.

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JUDGMENT

K.P.ACHARYA, V.C.

In this application under section 19 of the

Administrative Tribunals Act, 1985, the petitioner  
prays to quash Annexures 3 and 3/1.

2. Shortly stated the case of the petitioner is  
that while he was working as Extra Departmental Branch  
Post Master,, Areiguda Branch Post Office, the petitioner  
was placed under suspension (put-off duty) on a  
contemplated proceeding. Vide Annexure 3/1 the suspens-  
ion order was confirmed by the Senior Superintendent  
of Post Offices. Hence this application has been filed  
with the aforesaid prayer.

3. Today Mr.A.K.Nanda learned counsel for the  
petitioner submitted that in the meanwhile chargesheet  
has been delivered to the petitioner. In such circumstances  
I do not think it just and proper to quash Annexures 3  
and 3/1. On the contrary I would direct that the  
enquiry officer, if already appointed, should immediately  
fix the date for commencement of the enquiry and if  
the enquiry officer has not been appointed, the  
disciplinary authority should appoint the enquiry  
officer within 15 days from the date of receipt of a  
copy of the judgment and so also a presenting officer  
should be appointed. The petitioner will be at liberty  
to apply to the enquiry officer within seven days  
therefrom to appoint a defence assistance if he so  
desires. After all formalities are complied with, within  
120 days therefrom the enquiry officer should submit  
his report provided that the petitioner co-operates.

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If the petitioner seeks for adjournment, then such period of adjournment shall be deducted from the stipulated period of 120 days. The disciplinary authority should dispose of the matter finally within 30 days from the date of receipt of the enquiry report.

4. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.

5. In view of the judgment passed in C.A. 329 of 1992, no further orders are necessary in Miscellaneous Application No. 25 of 1992.

6. This order is passed after hearing Mr. A.K. Nanda learned counsel for the petitioner and Mr. Ashok Misra learned Senior Standing Counsel (Central) for the Opposite Parties.

*K. Mohanty*  
5/2/93  
Vice-Chairman

Central Administrative Tribunal,  
Cuttack Bench, Cuttack/5.2.1993/

K. Mohanty.

