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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH.

Original Application No. 352 of 1993.

DATE OF DECISION: July 21, 1993.

M.K. Murty ...

Applicant.

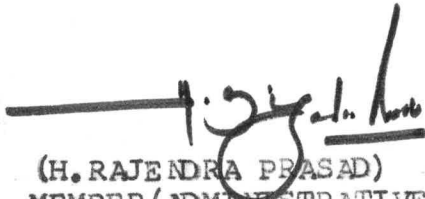
Versus


Union of India and others ...

Respondents.

( FOR INSTRUCTIONS)

1. Whether it be referred to the Reporters or not ? *Yes*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunals or not ? *Yes*

  
(H. RAJENDRA PRASAD)  
MEMBER (ADMINISTRATIVE)  
21 JUL 93

  
(K. P. ACHARYA)  
VICE-CHAIRMAN

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CUTTACK BENCH: CUTTACK.

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Respondents.

For the applicant ..

M/s. A. K. Rao,  
A. S. Rao,  
B. K. Panda-I,  
M. A. Aborbaker,  
Advocates.

For the respondents ...

N o n e.

C O R A M:

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

A N D

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

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J U D G M E N T

K. P. ACHARYA, V. C., In this application under section 19 of the

Administrative Tribunals Act, 1985, the applicant prays that the disciplinary proceeding initiated against the applicant 3 days before his retirement from the post of Assistant Engineer-II, South Eastern Railway, Cuttack be quashed.

2. Shortly stated, the case of the applicant is that the applicant retired as an Assistant Engineer-II, in South Eastern Railway posted at Cuttack with effect from 31st August, 1990. Certain charges were delivered to the applicant 3 days prior to the retirement. The grievance of the applicant in this original application is that

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though he has submitted show cause within the stipulated period, there is no progress of the departmental proceeding which eventually tells upon the interest of the applicant regarding receipt of the retiral benefits.

3. Instead of admitting this case for hearing and keeping this case pending unnecessarily, with the intention to speedily dispose of the departmental proceeding it is hereby directed that the trial of the departmental proceeding should commence within 30 days from the date of receipt of a copy of this order by Respondents 3 & 4 and within 120 days therefrom the departmental proceeding must be finally disposed of by the Enquiring Officer by submitting his findings to the disciplinary authority who, within 30 days therefrom, shall pass necessary orders in disposing of the disciplinary proceeding. The stipulated period of 120 days would be effective only if the delinquent officer i.e. the present applicant cooperates. In case, the applicant obtains any adjournment, such fact should be specifically stated in the ordersheet and the period of adjournment would be added to the above mentioned period of 120 days. Since the applicant has retired from service, it would be utterly difficult on his part to travel to other place. The enquiry should be held at Berhampur, District-Ganjam.

4. Thus, this application is accordingly disposed of. No costs.

.....  
MEMBER (ADMN.)

21 JUL 93

Central Admn. Tribunal,  
Cuttack Bench, Cuttack.  
July 21, 1993/Saranghi.

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VICE-CHAIRMAN