

Deposited  
(A) *SN Deepak Mishra*  
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

O.A/T.A./E.A.No.....

383

1993

CAT/J/11  
B. S. Tripathy  
P. L. Mishra  
D. N. Sahu  
A. M. B. S.

Sushil Kumar Acharya ....., Applicant (s)

versus

Union of India & Others ....., Respondent (s)

Sr. No	Date	Order with Signature
1	27.7.93	<p>We did not like to admit this case and unnecessarily keep this matter pending, because, by that process, the disciplinary proceeding may be stayed.</p> <p>The petitioner was chargesheeted wherein several allegations were made. All the allegations were held to be not established, though one charge relating to <sup>Mr</sup> <del>mis</del>appropriation was said to have been proved. The petitioner was removed from service. The petitioner preferred an appeal before the appellate authority and the appellate authority has sent back the case to the disciplinary authority for <i>denovo</i> inquiry. This is sought to be quashed.</p> <p>We have heard Mr. B. S. Tripathy, learned counsel for the petitioner and Mr. Ashok Mishra, learned Standing Counsel. We do not find this to a fit case for quashing of disciplinary proceeding. On the contrary, we would direct the disciplinary authority to give necessary directions to the Inquiry Officer that he must complete the inquiry within 120 days from the date of receipt of a copy of this order and he should submit his report to the disciplinary authority within 120 days and within 30 days therefrom the disciplinary authority must pass final orders according to law. In case the petitioner does not cooperate and seeks adjournment, the inquiry officer may</p> <p style="text-align: right;">f.m.</p> <p style="text-align: right;">...</p>

Serial No. of Order	Date of Order	Order with Signature
.1	27.7.93	<p>must specifically record this fact, and the period of adjournment obtained by the petitioner shall be added to 120 days. In case the disciplinary authority does not dispose of the matter by the date fixed, serious view would be taken by this Bench.</p> <p>Send a copy of this order to the opposite parties and a copy of this order be made available to the counsel for both sides.</p> <p style="text-align: right;">[Signature]   VICE-CHAIRMAN  MEMBER ADMINISTRATIVE</p>