

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Order dated 1.10.2001

Free copy of the orders dt 1-X-01 given to the both counsel.

Father  
10/10

Pray  
S. O

For admission.  
Father Bench  
9/11

Free copy of the orders dt 12-XI-01 given to the both counsel.

Father  
21/11

Pray  
S. O

For admission.  
Stay continuing.  
Father Bench  
12/12

Pray

Shri A. K. Bose submits that Shri C. George filed by him to-clar with copy to other side may be treated as counter to O.A. It is so ordered. Shri P. V. Ramdas submits that he does not intend to file any rejoinder. In view of this pleadings are taken to be complete. posted to 12.11.01. for final disposal of the admission stage. Interim order to continue till then.

Vice-Chairman  
1/10  
Member(s)

order dated 12.11.01

Division bench matter.

Adjourned to 13.12.01.

Interim order to continue till then.

Vice-Chairman  
12/11/2001  
Vice-Chairman

ORDER DATED 13-12-2001.

Heard Shri P. V. Ramdas, learned counsel for the Applicant and Shri A. K. Bose, learned Senior Standing Counsel for the Respondents and perused the records.

In this Original Application, the applicant has prayed for quashing the order dated 22-6-2001 at Annexure-5 and for restoring the order dated 16.4.2001 at Annexure-3. Respondents have filed counter opposing the

b OA-279/01

prayer of applicant. No rejoinder has been filed.

For the purpose of considering the petition, it is not necessary to go into too many facts of this case. Admitted position is that the applicant is working as EDBPM, Ratlang and is simultaneously working as Headmaster in # Govt. High School, Ratlang. On the alleged ground that working hours of the two organisation clashed and thereby the post office work is suffering, disciplinary proceedings were drawn up against him. Earlier he was under put off duty and subsequently he was reinstated. In course of enquiry, the applicant wanted production of five documents and examination of ten witnesses, in his letter dated 6.1.2001 at Annexure-2. The Inquiring Officer, in his order dated 16.4.2001 at Annexure-3 directed the Presenting Officer to make available the required documents to the applicant. Subsequently, the I.O. was changed and the next I.O. in his order dated 20.6.2001 and has allowed some of the documents instead of ten witnesses he only allowed two witnesses. This order is under challenge. From the above recital of fact, we find that at an interlocutory stage of the departmental proceedings, the applicant has approached the Tribunal. We are not inclined to interfere in the matter at this interlocutory stage because if at this stage, the jurisdiction of the Tribunal is invoked then the proceedings can not be completed. In any case, the applicant will have adequate opportunity to agitate these grounds after

J J (M)

70A-279101

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ORDERS OF THE TRIBUNAL

Free copy  
of the order  
dt-13.12.01  
given to the  
both counsel.

Batra  
20/12

R. Som  
20/12

S. O

completion of enquiry before the Disciplinary Authority as also the Appellate Authority in case the enquiry or the final order goes against him. With the above observations, the original application is disposed of. No costs. Order of stay stands vacated from.

(NITYANANDA PRUSTY)  
MEMBER ( JUDICIAL )

J. Somnath Som  
(SOMNATH SOM)  
VICE-CHAIRMAN  
20/12/2001

KNM/CM.