

## NOTES OF THE REGISTRY

## ORDERS OF THE TRIBUNAL

Free copy of  
the order dt-1-10-01  
given to the  
both counsel.

~~Patra~~  
10/10

~~Patra~~  
S.O

For admission.  
~~Patra~~ Bench  
9/11

Free copy of  
the order dt-12-11-01  
given to the  
both counsel.

~~Patra~~  
21/11

~~Patra~~  
S.O

For admission.  
Stay continuing.  
~~Patra~~ Bench  
12/12

~~Patra~~

Order dated 1.10.2001

Shri A.K. Bose submits that  
show cause filed by him to-day 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~~  
11/10  
Member(s)

order dated 12.11.01

Division bench matter.  
Adjourned to 21.12.01.  
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

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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 <sup>is</sup> 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 <sup>and</sup> 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

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Free copy  
of the order  
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both counsels

Batra  
20/12

Sum  
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 )

Somnath Som  
(SOMNATH SOM)  
VICE-CHAIRMAN  
13/12/2001

KNM/CM.