

OA 202/23

OF THE REGISTRY

ORDERS OF THE TRIBUNAL

07.10.04.

On the prayer of Mr. P.K. Padhi, advocate
to 18.11.04.

Member

Mr. Chairman

18.11.04.

On the prayer of Mr. P.K. Padhi, Ld. Counsel
for the applicant and as agreed by Mr. U.B.
Mohapatra, Ld. Sr. Standing Counsel, the
matter is adjourned to 06.12.04.

Member

Mr. Chairman

Order Dated 06.12.04

Heard Mr. U.B. Mohapatra, Ld. Sr Standing
Counsel appearing for the Respondents and
Mr. P.K. Padhi, Ld. Counsel appearing for the
applicant and perused the materials placed before
us.

The applicant by filing this O.A has prayed
for a direction to be issued to the Respondents
to keep the Departmental proceedings in abeyance
till the finalisation of the criminal case pending
against him. Shri Mohapatra, Ld. Sr. Standing
Counsel submitted that the inquiry into the
disciplinary proceedings initiated against the
applicant has already been completed, but because
of the ad-interim order dated 24.04.03 of the
Tribunal no final orders on the disciplinary
proceedings has been passed.

counter copy
not sent.
Counter by P-4
not filed.

Order dt. 26.2.04

Copy of counter
is served today. On
the prayer of Ld.
counsel for the applicant
adjourned to 22.3.04
for filing of rejoinder.

26.2.04
REGISTRAR

Rejoinder not

filed.

Regn

on Memo

Rejoinder has
not been filed.
for further
order.

Regn

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For Hearing

(Respondent not
attended).

l
6/12

bench

Or. Dt. 7.11.04

For Hearing

(Respondent not
attended).

l
16/11

bench

Or. Dt. 18.11.04

For Hearing

l
21/12

bench

Or. Dt. 6.12.04

Copies of order
prepared for Counsel
for both sides.

l
10/12

10/12/04
SO (S)

It has also been disclosed by the Respondents in their counter (and admitted by the Ld. Counsel for the applicant) that the applicant himself kept away from the enquiry when his request for engagement of a lawyer as his defence assistant was dis-allowed, and , therefore, the inquiry has been completed exparte and the applicant had been asked to file his written statement of defence on receipt of the inquiry report.

In view of the matter the request for exercising right of silence has become infractious and therefore we pass no order in the matter.

As the applicant did not participate in the inquiry and as stated by the senior Counsel, the inquiry officer has completed his inquiry the Respondents are called upon to finalise the disciplinary proceedings and pass final order on the basis of the report of the Inquiry Officer, after following the due procedure of law.

Accordingly this O.A is dismissed.

Member (Judicial)

Vice-Chairman