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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O.A.No. 442 of 2009

Bhagabat Moharana Applicant

Vs

UOI & Ors. Respondents

.....

Order dated -18-08-2011.

CORAM:

THE HON'BLE MR.C.R.MOHAPATRA, MEMBER (A)

AND

THE HON'BLE MR.A.K.PATNAIK, MEMBER (J)

.....

The prayer of the Applicant in this OA is twofold viz; to quash the disciplinary proceedings initiated by the Respondent against him under Annexure-8 and the second prayer is to direct the Respondents to insert the name of the applicant's second wife Kuntala Maharana in the Service Book. Respondents filed counter opposing the prayers of the applicant. It has been stated that preliminary inquiry has already been completed since long and the disciplinary proceeding is to be concluded by the departmental authority expeditiously as early as possible. It has further been stated that the Respondents would take appropriate step just after finalization of disciplinary proceeding and regularize the suspension period and, therefore, at this stage this Tribunal should not interfere in the matter.

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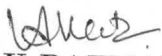
Rule 10 of the CAT (Procedure) Rules, 1987 envisages that an application shall be based upon a single cause of action and may seek one or more reliefs provided that they are consequential to one another. Whereas the Applicant has filed this OA seeking two different/distinct reliefs. However, on being asked, Learned Counsel for the Applicant has fairly submitted that the present OA may be confined to the prayer No9.(i) i.e. to quash the disciplinary proceedings initiated against the applicant under Annexure-8. In this context, we have heard Learned Counsel for both sides and perused the materials placed on record. We are convinced that considerable time has already ~~been~~ elapsed in concluding the disciplinary proceedings initiated against the applicant way back in 1994 but considering the submissions of the Respondents' Counsel that preliminary inquiry has already been completed since long and the disciplinary proceeding is to be concluded by the departmental authority expeditiously as early as possible, as agreed to by Learned Counsel for the applicant this OA is disposed of with direction that the Proceedings initiated against the applicant which he has sought to be quashed in this OA, shall be completed, in all respect, within a period of 180 days from the date of receipt of copy of this order failing which


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the same should not proceed further without the leave of this

Tribunal. No costs.


(A.K.PATNAIK)
Member (Judl.)


(C.R.MOHAPATRA)
Member (Admn.)

