

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. MA 186 of 2000
(OA 1439 of 96)

Present : Hon'ble Mr.D.Purkayastha, Judicial Member
Hon'ble Mr.G.S.Maingi, Administrative Member

UNION OF INDIA & ORS.

VS

KSHITISH MOHAN CHAKRABORTY

For the applicants : Mr.B.Mukherjee, counsel

For the opposite party : Mr.Samir Ghosh, counsel

Heard on : 1.6.2000

Order on : 1.6.2000

O R D E R

D.Purkayastha, J.M.

The respondents in the OA has filed this application praying for extention of time beyond 6 months as stipulated by the Tribunal in its order dated 17.1.2000 for compliance of the order of the Tribunal. The reasons given by the applicants in this MA, is that the Appellate Authority is busy in the matter of parliamentary affairs and could not complete the Departmental Proceeding in time as ordered by the Tribunal and they have come with this application for extension of time. Mr.Ghosh, ld. counsel for the applicants in OA has raised objection and submits that there is no reasonable ground in the MA for extension of time as prayed for.

2.

We have gone through the order passed on 17.1.2000 in OA 1439/96 where it is specifically mentioned that :

" In view of the peculiar circumstances of the case, we find that the respondents should be directed to complete the departmental proceeding by passing final order within 3 months from the date of communication of this order. Be it mentioned here that if the departmental proceeding is not completed by passing the final order within the stipulated period, the departmental proceeding should be deemed to have been quashed after expiry of the period of 3 months. With this observation the application is disposed of awarding no costs. "

3. We find that there is no confusion in the order passed by the Tribunal. It is found that Mr.N.Raja, Director General(Vig.)/CVO directed Mr.A.K.Raha, Commissioner of Customs, Custom House, Calcutta, to seek extension of time to complete the Disciplinary Proceeding by letter dated 29.2.2000. ~~By~~ That letter was written on 29.2.2000 and the application ~~has~~ been filed on 4.4.2000 i.e. after expiry of the 2 months from the date of receipt of the letter. We are of the view that there are laches on the part of the respondents and they are guilty in the matter of ^{delay} disposal of the Disciplinary Proceeding as ordered by the Tribunal.

4. In view of the aforesaid circumstances, we are not inclined to grant any further time for compliance of the order of the Tribunal. Therefore the prayer as sought for by the respondents for extension of time is rejected. MA stands disposed of.

Eswari
1.8.2000
MEMBER (A)

in

A. S. R.
11/6/2000
MEMBER (J)

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