

In The Central Administrative Tribunal  
Calcutta Bench

MA.330 of 1999  
(OA.160 of 1996)

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

Santosh Kr. Dutta

- VS -

S.E. Railway

For the Applicant : Mr. A. Sarker, Advocate

For the Respondents: None

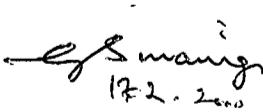
Heard on : 17-2-2000

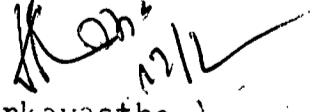
Date of Order : 17-2-2000

ORDER

D. PURKAYASTHA, JM

Heard Ld. Advocate for the applicant. We find that there is a typographical mistake in last line at para 1 of the judgement dated 7-2-2000 where the date 17.6.1999 has been recorded in place of 2.2.1996. Judgement is corrected accordingly and the date 17.6.1999 should be read as 2.2.1996. This order will remain as a part of the earlier order dated 17.2.2000.

  
17.2.2000  
( G.S. Maingi )  
Member(A)

  
( D. Furkayastha )  
Member(J)

DKN

In The Central Administrative Tribunal  
Calcutta Bench

MA.330 of 1999  
(OA.160 of 1996)

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

Santosh Kr. Dutta

- VS -

S.E. Railway

For the Applicant : Mr. N.C. Saha, Advocate

For the Respondents: Mr. S. Banerjee, Advocate

Heard on : 7-2-2000

Date of Order : 7-2-2000

ORDER

D. PURKAYASTHA, JM

The applicant retired as Deputy Commercial Manager(Claims), S.E. Railway on 30-11-1995. Just before one day of the retirement on superannuation from the Office a charge sheet was issued to him on 29.11.1995 on the ground of mis-conduct as alleged in the charge sheet. Thereafter, the applicant approached this Tribunal by filing this application on 17.6.1999.

2. Respondents filed reply to the O.A.

3. It is noted that the inquiry officer has been appointed on 18.1.2000 and the inquiry officer has already started enquiry. In view of the aforesaid circumstances, we find that it would not be appropriate on our part to intervene in the proceeding which is pending before the inquiry officer. Considering the facts and circumstances, we find that it would be appropriate to direct the

respondents to complete the disciplinary proceeding within four months by passing final order by the disciplinary authority from the date of receipt of this order. Inquiry officer should be asked to submit the report within three months from the date of receipt of the order. On receipt of the inquiry report, the disciplinary authority should pass final order within one month. We also direct the applicant to co-operate with the inquiry officer and the disciplinary authority. It be mentioned here that if the applicant does not co-operate with the inquiry officer/disciplinary authority, it would be open to them to hold enquiry ex-parte and on day-to-day basis considering the hardship of the applicant. Accordingly, both the OA and MA are disposed of.

*G.S. Maingi*  
( G.S. Maingi ) 7-2-2000  
Member (A)

*D. Purkayastha*  
( D. Purkayastha )  
Member (J)

DKN