

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No.M.A.633/2003
M.A.634/2003
arising out of
O.A.63/1997
O.A.384/1997

Date of order : 19.2.2004

Present : Hon'ble Mr. N. Prusty, Judicial Member
Hon'ble Mr. N.D. Dayal, Administrative Member

S.K. ROY
VS.
UNION OF INDIA & ORS.

For the applicant : Mr. P.B. Misra, counsel
For the respondents : Mr. S. Choudhury, counsel

O R D E R

Nityananda Prusty, J.M

The M.A.No.633/2003(O.A.63/1997) has been filed for the following reliefs:-

- "(a) It may be clarified if the proper forum means the proper Bench of Central Administrative Tribunal and to approach it with a fresh O.A. for redressal of grievance.
- (b) the Respondents should be restrained from effecting the penalty of withholding pension;
- (c) and the Hon'ble Tribunal may make such orders as may seem fit and proper in the interest of justice."

The M.A.No.634/2003(O.A.384/1997) has been filed for recalling the order of the Tribunal dated 17.11.2003 and clarify

- "(a) If he is entitled to a copy of the Inquiry Officer Sri Chandi Andrews's report in the instant O.A.384/97,
- (b) Of the reasons for dropping the charges on law and Natural justice."

2. O.A. 63 of 1997 was dismissed as 'not pressed' and O.A. No.384 of 1997 was dismissed as "having become infructuous", respectively, by order dated 17.11.2003 on the basis of the submission of the ld. counsel for the applicant. The prayer made by the learned counsel for the applicant was allowed and accordingly both the O.A.s were dismissed as above with liberty to approach appropriate forum for redressal of his grievances in accordance with law. The Tribunal has not mentioned anything as to which is the appropriate forum for the applicant. After the final decision was taken in the disciplinary proceedings, the applicant was at liberty to approach the appropriate forum as per rules for redressal of his grievances. It may be the