

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No.G.A.839 of 1997

Date of Order : 14.1.1998

Present : Hon'ble Dr.B.C.Sarma, Administrative Member.
Hon'ble Mr.D.Purkayastha, Judicial Member.

NITYA RANJAN DAS S/o
Late Khageswar Das
ASOP (under suspension),
Eastern Railway, Fairlie
Place, Calcutta-1, residing
at Railway Quarter No.1A,
Strachey Road, Liluah,
Howrah.

... Applicant

Vs.

1. Union of India through General Manager,
Eastern Railway, Fairlie Place,
Calcutta-1.
2. General Manager, Eastern Railway,
Fairlie Place, Calcutta-1.
3. Controller of Stores, Eastern Railway,
Fairlie Place, Calcutta-1.
4. Controller of Stores, Metro Railway,
Calcutta.
5. Chief Personnel Officer, Eastern
Railway, Fairlie Place, Calcutta-1.

... Respondents

For the applicant : Mr.B.C.Sinha, counsel.

For the respondents: Mr.P.K.Arora, counsel.

ORDER

B.C.Sarma, A.M.

The applicant is an Assistant Controller of Stores, Eastern Railway. He has filed this petition with the following prayers:-

- a) To set aside and cancel the impugned order of suspension dated 4.9.1995 (annexure 'A/3') and allow resumption to duty.
- b) To direct the respondents to finalise the enquiry into the charges levelled against the applicant and pass final order within a period of 3 months.



..2/-


When the admission hearing of the matter was taken up today, Mr.B.C.Sinha, Id.counsel for the applicant, submits that the relief prayed at sub-para A of the application is no longer ^{relevant} existing. The applicant has been reinstated in service after the revocation of the suspension order. The only prayer is for issue of a direction upon the respondents to complete the enquiry and pass a final order within a period of three months.

2. Mr.P.K.Arora, Id.counsel, for the respondents submits that an interim order was passed by this Tribunal for revision of the subsistence allowance on 22.7.1997, which has since been done. Mr.Arora concedes that a departmental proceeding is pending against the applicant.

3. In view of the above position, the application is disposed of at the stage of admission hearing itself with the order that within a period of 6 months from the date of communication of this order, the respondents shall complete the disciplinary proceeding upto the stage of passing the order of the disciplinary authority. We direct the applicant to cooperate in the said enquiry, making it clear that if the applicant fails to do so, the respondents shall have the liberty to proceed ex-parte against him and pass appropriate order as per law.

4. No order is passed as to costs.


(D.Purkayastha)
Judicial Member


(B.C.Sarma)
Administrative Member