

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 384 of 1997

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. Nityananda Prusty, Judicial Member

S.K. Roy

-VS-

S.E. Railway

For the Applicant : Mr. P.B. Mishra, Counsel

For the Respondents: Mr. S. Chowdhury, Counsel

Date of Order : 17-11-2003

ORDER


MR. NITYANANDA PRUSTY, JM

Heard Ld. Counsel for both the parties.


2. The applicant had earlier filed an O.A. challenging the chargesheet ^{issued} against him in a disciplinary proceeding i.e. O.A. 63 of 1997. In this O.A. he has prayed for quashing of the charge-sheet which is filed alongwith this O.A. at Annexure A/11 and also for a direction to pay his DCRG alongwith interest at the rate of 18% per annum. It is submitted by the Ld. Counsel for the applicant that in the meantime the disciplinary proceeding has already been completed and in that view of the matter this O.A. has become infructuous. However, Ld. Counsel for the applicant submits that this O.A. can accordingly be disposed of with leave to the applicant to challenge the final order passed in the disciplinary proceeding before appropriate forum in accordance with law. Mr. Chowdhury, Ld. Counsel for the official respondents has no objection to the above prayer made by the Ld. Counsel for the applicant.

Contd....

3. Accordingly, in view of the above submissions made by the Ld. Counsel for both the parties, the O.A. is dismissed as having become infructuous. However, the applicant is at liberty to approach the appropriate forum for redressal of his grievance in according with law. There shall be no order as to costs.



Member (J)



Member (A)

DKN