

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A.506 of 1997.

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. A. Sathath Khan, Judicial Member

Monoranjan Pal

- VS -

Union of India & Ors.

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

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

Date of Order : 24.04.2003.

ORDER

MR. A. SATHATH KHAN, JM:

The applicant prays for quashing of the charge-sheet dated 04.03.1997 in respect of the possession of Railway property, on the ground that a criminal prosecution is also pending in the Court of SDJM(Howrah) under section 3(a) of the Railway Property (Unlawful possession Act). As per Government of India O.M.'s dated 07.06.1955 and 04.09.1964 prosecution should ~~proceed with~~ departmental proceedings. In the present case, the applicant is prosecuted in a Criminal Court and is also proceeded with by way of departmental proceedings. The Ld. Counsel for the applicant and the respondents are not in a position to give ^{the} correct status of the criminal proceedings and the departmental proceedings as on to-day. Under these circumstances, we are of the considered view that the departmental proceedings should be

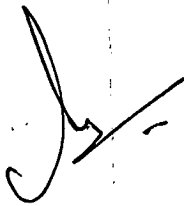


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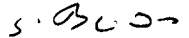
kept in abeyance till the disposal of the criminal case since the charge against the applicant in the criminal proceedings and the departmental proceedings are in respect of the same incident.

2. In view of the above order, nothing survives in this O.A. and the same is disposed of as stated above.

3. No order as to costs.



MEMBER (J)



MEMBER (A)

ASVS.