

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 57 of 97

Present : Hon'ble Mr.D.Purkayastha, Judicial Member

Hon'ble Mr.B.P.Singh, Administrative Member

AMIR ALI

VS

UNION OF INDIA & ORS.

For the applicant : Mr.S.Pal, counsel

For the respondents: Mr.S.Choudhury, counsel

Heard on : 16.6.99

Order on : 16.6.99

O R D E R

D.Purkayastha, J.M.

Heard both the counsel. The applicant has challenged the validity of the charge sheet dated 28.2.96 Annexure A/1 to the application stating inter alia that the said charge sheet is baseless and not based on correct facts. It is also stated by the 1d. counsel for the applicant that the said charge sheet was issued with malafide intention to harass the applicant. Mr.S.Choudhury, 1d. counsel for the respondents raised objection stating inter alia that the applicant based his claim of fixing his date of birth on the forged documents.

2. We have heard the 1d. counsel for both the parties. Now the law is well settled by the Apex Court in Transport Commissioner Madras -vs- A.Radhakrishna Moorthy in 1995 Supreme Court Cases (L&S) 313. The Hon'ble Supreme Court has held that the truth and correctness of the charges was not a matter for the Tribunal to go into. On the face of the findings we are of the view that we should not interfere with the proceedings at this stage. The applicant can raise his grievance before the authority if he thinks fit and proper. The applicant can make representation to the authorities to consider ^{lawful &} ~~his subsistence~~ ^{allowance} ~~allowance~~ ^{in particular} and the respondents may expedite the matter. Accordingly the OA is disposed of awarding no costs.

J.W.C.W.

MEMBER (A)

in

H.M.

MEMBER (J)