

AS

CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

LUCKNOW

O.A.No.334/90(L)

Chandra Bhushan : : : : : Applicant
Vs.

Union of India &
Others. : : : : : Respondents

Hon. Mr. Justice U.C.Srivastava, V.C.

Hon. Mr. K. Obayya, A.M.

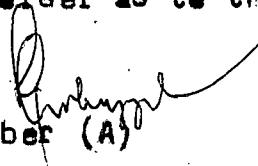
(By Hon. Mr. Justice U.C.Srivastava, V.C.)

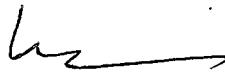
By means of this application the applicant has prayed that the order of the Director, Drug Research Institute, Lucknow, for holding the enquiry be quashed and the disciplinary authorities be directed not to conduct any disciplinary proceedings against the applicant on the basis of the memorandum issued to him and they may be further directed not to enforce the provisions of Bye-Law No.74 of the Bye-Laws of Council of Scientific & Industrial Research as contained in Annexure No.5 and the same may be declared ultravires of Article 191(a) of the Constitution of India and also article 14 & 16 of the Constitution.

2. From the reply filed by the respondents it appears that the enquiry has been concluded and the final order has not been passed and it is not a stage now any interference can be made though certain questions of law has been raised by the applicant. In case the enquiry goes against the applicant, he has got a right to challenge the validity of the Bye-Laws, which he has challenged in this application and obviously that right cannot be taken away from him.

With these observations the application is dismissed.

No order as to the costs.


Member (A)


Vice-Chairman.

Dated: 29th March, 1993, Lucknow.

(tgk)