

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.173/2005
This the 21st day of February 2007

HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN.
HON'BLE MR. A.K. SINGH, MEMBER (A)

Abhinandan Kumar Jain about 46 years S/o Late P.C. Jain R/o 1/126, Viram Khan, Gomti Nagar, Lucknow working as Divisional director, Social Forestry Division Shahjahanpur.

...Applicant.

By Advocate: Shri Amit Verma for Shri A. Moin.

Versus.

Union of India through

1. Secretary, Forest & Environment, Govt. of India, New Delhi.
2. State of U.P. through the Principal Secretary (Forest) Govt. of UP, Lucknow.
3. Principal Chief Conservator of Forests, UP, Lucknow.
4. Chief Conservator of Forests, Western Zone, UP, Bareilly.
5. Chief Conservator of Forests, Central Zone UP, Lucknow.

...Respondents.

By Advocate: Shri Atul Dixit for Dr. Neelam Shukla.

Shri S.P. Singh for Shri Sudeep Seth.

ORDER (Oral)

BY HON'BLE MR. JUSTICE KHEM KARAN, VICE-CHAIRMAN

Heard Shri Amit Verma holding brief for Shri A. Moin, learned counsel for the applicant and Shri Atul Dixit holding brief for Dr. Neelam Shukla and Shri S.P. Singh, learned counsel for respondents on M.P.No.409/2007, moved by the applicant for disposal of the OA finally with suitable direction to the respondents.

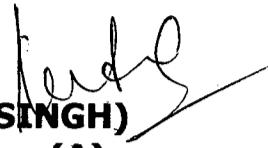
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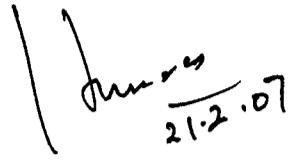
2. The applicant has filed this OA praying that the impugned order dated 25.8.2003, Memorandum of Charge sheet (Annexure-A-1) be quashed. The case is that earlier in the year 5.1.1998, the respondents issued charge-sheet containing 2 charges but subsequently the same was cancelled and thereafter this Memorandum dated 25.4.2003 ^{was} containing 12 charges, including the earlier 2 charges, was served on the applicant and the enquiry proceedings commenced. While the same was going on, the applicant filed this OA and vide interim order dated 14.9.2005, this Tribunal provided that enquiry might go, but the final order would not be passed. Now the applicant wants that this OA should finally be disposed of with the direction to the respondents to conclude the enquiry within the shortest time as may be fixed by the Tribunal. We do not find any difficulty in accepting the request of the applicant for disposal of the OA on the line indicated in the application. The learned counsel for the respondents has submitted that some reasonable time should be given for concluding the enquiry and they have no objection to the final disposal of the OA as prayed in the application.

3. So the OA is finally disposed of with a direction to the competent authority to ensure that the pending formal disciplinary proceedings against the applicant initiated with the Memorandum dated 25.4.2003, be concluded as expeditiously and final order passed, within a period of three months from the date a certified copy of this order is produced before him. The applicant shall be at liberty to approach appropriate forum, if he is punished in the above enquiry and if he



remains aggrieved, even after availing departmental remedies. Interim order granted earlier stands discharged. No costs.


(A.K. SINGH)
Member (A)


(KHEM KARAN)
Vice-Chairman

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