

CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH,  
LUCKNOW.

O.A. No.144/90

Date of decision: -26/8/94

R.D. Awasthi ::::: Applicant.

(Shri R.K.Sharma,  
Advocate.) Vs.

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

(Shri Anil  
Srivastava,  
Advocate)

HON'BLE MR. JUSTICE B.C. SAKSENA, VICE CHAIRMAN.  
HON'BLE MR. K. MUTHUKUMAR( MEMBER (ADMN.)

J U D G M E N T.

(By Hon.Mr.Justice B.C.Saksena,V.C.)

We have heard the learned counsel for the parties. The applicant has preferred this O.A. to challenge the order dated 21-12-87 passed by Divisional Safety Officer. It is alleged that thereafter the applicant preferred a representation/appeal on 4-8-88 with reminder on 29-5-89 but there has been no response. The applicant's counsel alleged that the applicant was not allowed the copy of the required documents, but the applicant had submitted his defence on 13-10-87. This averment has been made in para 2 of the O.A. Neither the date of representation by which the applicant had asked for the copies of documents has been indicated nor the document has been specified in the O.A. Therefore, the averment is vague. The applicant is also present in the Court. He submitted that the applicant had asked for the copies of the documents through appeal.

A/D

copy of  
dated 4/8/88. He submits that the enquiry report  
has been asked for but the same has not been given  
to him. The learned counsel for the applicant  
conceded that the decision in the case of Ramzan Khan  
Vs. U.O.I & Others was only subsequent to the  
proceedings in the case of the applicant i.e. in  
<sup>November</sup>  
~~December~~, 1990 whereas the order in the case of  
the applicant had been passed on 21-12-87. As such  
the said decision would not render the order of  
punishment illegal in any manner and the said  
plea is, therefore, totally misconceived. No  
other ground has been raised by the learned counsel  
for the applicant.

2. On the basis of the discussions herein above,  
we find no merit in the O.A. and it is accordingly  
dismissed.

MEMBER (ADMN.)

*B. Lalasee*  
VICE-CHAIRMAN.