

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH
LUCKNOW

O.A.No. 125/92

J.P.Shukla and others... ..Applicants

Versus

Union of India and others.Respondents.

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

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

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

As the counter affidavit has been filed in this case the case being heard and disposed of finally after hearing the parties.

2. The applicants 12 in number were served with charge sheets separately in the month of January 1991 in respect of the medical reimbursement claimed by them which according to the department is fraudulently claimed and their modus operandi has been stated that the disciplinary proceedings were started by serving charge sheet and the said proceedings are still pending but before conclusion of the said proceedings the respondents have started the recovery from February 1992. The applicants have challenged the disciplinary proceedings on certain grounds. So far as the disciplinary proceedings are concerned which may have started after a lapse of several years but no interference to the same can be made, as the applicants will have a right to question the same if the same goes against them. However, the respondents will conclude the disciplinary enquiry as early as possible so far as the recovery of amount in respect to the claim is concerned, the respondents have stated that it is an administrative action for imposing minor penalty opportunity to explain by the respondents is to be given which was not done. Accordingly this application is partly allowed to the extent that the

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respondents shall not ^{make} ~~make~~ any recovery against the applicant in respect of the reimbursement bill said to have been charged by them fraudulently till the charge against them is not established.

3. So far as the relief against the disciplinary proceedings is concerned, the application is dismissed with the observation that the disciplinary proceedings may be concluded as early as possible say within 4 months.

4. With these observations the application stands disposed of finally.


A.M.


V.C.

Dated: 6.8.92

(AR)