

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA.

OA 355 of 06

Hon'ble Shri Shankar Prasad, Member [A]
Hon'ble Ms. Sadhna Srivastava, Member [J]

Raj Kishore Prasad, S/o Shri Raghunath Prasad
Vs.

Union of India and Others.

Counsel for the applicant : None

Counsel for the respondents : Shri N.K. Sinha

ORDER [Oral]

28.05.2008


Shankar Prasad, M [A]:- By this OA the applicant seeks the relief of quashing of letter dated 8.6.2006 by which the disciplinary authority has forwarded the inquiry officer's report to the applicant.

2. The Tribunal on 7.8.2006 had observed as under:-

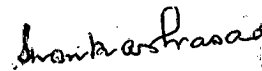
“In the circumstances of the case, this Tribunal hereby directs that any decision, in the meantime, if taken by the respondents, will be subject to the final order of this Tribunal in this case.”

3. The subsequent developments, if any, out of the said departmental inquiry have not been brought on record. What the applicant has contested is that the inquiry officer was not the inquiry officer. Besides this, some other deficiencies in the proceedings have been pointed out in the rejoinder filed on 20.12.07. It is well settled that this Tribunal should be slow to interfere with the departmental proceedings at the initial stage. The decision of Union of India vs. Upendra Pd. Singh, 1994 [3] SCC page 357 refers. *l*

4. In that view of the matter, the OA is dismissed. We naturally expects that the disciplinary authority, if he has not already passed the orders, shall pass an order in accordance with rules, within three months of the receipt of copy of this order. No order as to the costs.


[S. Srivastava] M [J]

/cbs/


[S. Prasad] M [A]