

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

(4)

O.A. NO: 199
T.A. NO: 259/87

DATE OF DECISION 12-3-1992

B.N.Wickey Petitioner

Mr.M.M.Sudame Advocate for the Petitioners

Versus

DRM, SE Rly. Nagpur and ors. Respondent

Mr.P.S.Lambat Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice U.C.Srivastava, Vice-Chairman

The Hon'ble Mr. M.Y.Priolkar, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?


(U.C.SRIVASTAVA)

MD

mbm*

(15)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR

Tr.259/87

B.N.Wickey,
Commercial Inspector,
Nagbhir, P.O.Brahmapuri,
Dist.Chandrapur.

.. Applicant

vs.

1. Divisional Railway Manager,
South Eastern Railway,
Nagpur.
2. Divisional Commercial Superinten-
dent,
South Eastern Railway, Nagpur.
3. Divisional Personnel Officer,
South Eastern Railway,
Nagpur.
4. Chief Personnel Officer,
South Eastern Railway,
Calcutta.

.. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman.

Hon'ble Shri M.Y.Priolkar, Member(A)

Appearances:

1. Mr.M.M.Sudame
Advocate for the
Applicant.
2. Mr.P.S.Lambat
Counsel for the
Respondents.

ORAL JUDGMENT:

Date: 12-3-1992

(Per U.C.Srivastava, Vice-Chairman)

The applicant who was Commercial Traffic Inspector at Nagpur was served with a chargesheet in respect of an alleged act of omission and commission by him. ~~On 21-6-1979~~ On 21-6-1979 he was charged with another chargesheet. An inquiry in respect of those charges were proceeded. Four Inquiry Officers were changed and the enquiry has not yet been concluded. Applicant's grievance is that he is now on the verge of retirement and yet there is no ~~no~~ progress in the enquiry proceedings and the enquiry proceedings should be quashed because it has been unduly delayed.

2. From the pleadings of the respondents it appears that the applicant is also partly responsible for the delay and the proceedings are not delayed because of the change of Inquiry Officers only.

3. Accordingly the respondents are directed to conclude the enquiry in respect of the charges mentioned against him ~~within~~ within a period of three months from the date of communication of this order, may it be by taking day-to-day proceedings. The applicant shall fully co-operate with the enquiry. In case despite the full co-operation by the applicant the enquiry is not concluded within the period mentioned above it is open for the applicant to approach the Tribunal for quashing the enquiry proceedings. In case the applicant is exonerated in the enquiry ~~then~~ the ~~expenses~~ consequences will also follow. The application stands disposed of with the above observation.


(M.Y.PRIOLKAR)
Member(A)


(U.C.SRIVASTAVA)
Vice-Chairman

MD