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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY.

Stamp Application No.19/89.

Shri Sham Bihari Ram,
'Sham Surendra Niwas,
Brahmagiri Society,
Jail Road,
Nasik Road.

... Applicant.

V/s.

Shri B.S.Lalchandani,
Deputy General Manager,
Currency Note Press,
Nasik-Road.

... Respondent.

Coram: Hon'ble Member(J), Shri M.B.Mujumdar,
Hon'ble Member(A), Shri M.Y.Priolkar.

Oral Judgment:

Dated: 10.1.1989.

Heard Mrs. Shubhangi Jadhav, learned advocate for the applicant. The applicant is working as Assistant Inspector, Control in the Currency Note Press at Nasik Road. By an order dated 5.8.1987 the applicant was placed under suspension. On the representation dated 11.3.1988 through his advocate that suspension order was revoked on 24.3.1988. Hence we are not concerned in this application with the suspension order dated 5.8.1987.

2. However, by an order dated 30.12.1988 the applicant is placed under suspension w.e.f. 29.12.1988 by the Deputy General Manager of the Currency Note Press at Nasik Road. The suspension was obviously in view of the charges served on the applicant on 6.1.1989. The charges against the applicant are: the first is that at about 7.30 a.m. on 29.12.1988, while functioning as Assistant Inspector, Control the applicant was found under the influence of intoxicating drinks and was unable to perform his duties as a normal person. The second charge is that as the applicant attended the office in an

intoxicated state and by his presence caused the workmen to stop their work as a protest against his physical state and behaviour. The last charge is that the applicant was unable to perform his duties obviously on account of intoxication. The Annexure-II of the charge sheet shows that the police of the Nasik Road had taken the applicant to the Civil Surgeon, Nasik, who confirmed that the applicant was intoxicated.

3. The applicant has filed this application challenging the suspension order as well as the charge sheet.

4. After hearing Mrs. Jadhav and considering the facts, we find that the present application is pre-mature. Considering the nature of the charges we have no doubt that the authorities were justified in suspending the applicant. Completion of Concluding the inquiry is bound to take some time. If the result of the inquiry goes against the applicant, he can approach the Tribunal after exhausting the departmental remedies available to him. We therefore, reject this case summarily under section 19(3) of the Administrative Tribunals Act, 1985.

M. Y. Priolkar
(M.Y. PRIOLKAR)
MEMBER (A)

M. B. Mujumdar
(M. B. MUJUMDAR)
MEMBER (J).