

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY

(3)

Original Application No.404/90

Shri R.M.P.Varma

... Applicant

vs

Union of India & Ors.

... Respondents.

CORAM : Hon'ble Vice Chairman, Shri B.C. Mathur  
Hon'ble Vice Chairman, Shri Kamleshwarnath

Appearances:

Shri G.S.Walia, Advocate,  
for the applicant and Shri  
R.C.Kotiankar, Counsel, for  
the Respondents.

ORAL JUDGEMENT:

Dated : 23 August 1990

(Per Shri B.C. Mathur, Vice Chairman)

Heard the advocates. In this case the applicant has alleged bias against the Inquiry Officer but the allegation of bias has been rejected by the Disciplinary Authority. Under Rule 14 of the CCS (CCA) Rules the Government instructions are that whenever an application is moved by a Government servant against whom disciplinary proceedings are initiated under this rule against the Inquiry Officer on grounds of bias, the proceedings should be stayed and the application referred, along with the relevant material, to the appropriate reviewing authority for consideration for considering the application and passing appropriate orders thereon. For this purpose the reviewing authority would normally be the appellate authority. In this case the Secretary to the Department is the disciplinary authority and the reviewing authority would be the Minister of the Department. We direct that this matter may now be placed before the reviewing authority for appropriate orders and no action be taken on the disciplinary proceedings

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till then. The reviewing authority may consider this matter and pass orders within a period of three months from now. The reviewing authority may ~~not~~ consider the various points raised in the representation of the applicant.

2. With these observations the application is disposed of.

(Kamleshwarnath)  
Vice Chairman

  
(B.C. Mathur)  
Vice Chairman.