

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW BOMBAY BENCH

O.A. No. 544/91
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DATE OF DECISION 16.6.1992

Shri P.V.Joshi Petitioner

Shri C.U.Singh Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Shri M.I.Sethna Advocate for the Respondent(s)

CORAM

• The Hon'ble Mr. Justice S.K.Dhaon, 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 ?

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

OA.NO. 544/91

Shri P.V.Joshi
V/S.

... Applicant

Union of India & Ors.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice S.K.Dhaon
Hon'ble Member (A) Shri M.Y.Priolkar

Appearance

Mr.C.U.Singh
Advocate
for the Applicant

Mr.M.I.Sethna
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 16.6.1992

(PER: S.K.Dhaon, Vice Chairman)

Disciplinary proceedings had been initiated against the applicant on 17.10.1990. A charge-sheet was given to him. He has given a reply. The prayer in this application, in substance, is that the said charge-sheet may be quashed.

2. A number of contentions have been advanced on behalf of the applicant. We are not inclined to interfere at this stage. Moreover, we feel that if we give a decision on the contentions urged in support of this application, the same may be prejudicial to either of the parties. We are anxious that the proceedings should be disposed of as expeditiously as possible and the petitioner should not be treated unfairly in any manner.

3. We are informed that the applicant has been supplied copies of 21 documents. Those copies, according to the applicant, are illegible. Shri Sethna, on behalf of the respondents, assures us that within a period of 10 days from today legible copies of the said 21 documents will be supplied to the applicant. He also assures that the copies of the two remaining documents which, according to the applicant, have not been supplied to him so far shall also be made available to him. (the applicant).

4. On 6.6.1992 the applicant made an application praying that he may be furnished with copies of 27 documents. Shri Sethna again assures us that this application will be considered and such copies as are admissible under the law and are available would be supplied to the applicant within a period of ten days from today.


5. We direct that the disciplinary proceedings shall commence immediately after the expiry of ten days from today. If necessary, the hearing shall go on from day to day. Of course, we are proceeding on the assumption that the petitioner will cooperate in the departmental proceedings and will not adopt dilatory tactics. The Enquiry Officer shall submit his report to the State of Maharashtra within a period of six weeks from the date of expiry of ten days from today. Within two weeks thereafter the Maharashtra Government will give a decision. Thereafter, if necessary, the Central Government will endeavour to dispose of the matter within two months.

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6. We make it clear that it will be open to the applicant to raise all the pleas which have been raised in the present application if and when an order adverse to him is passed at the final stage.

7. With these directions this application is disposed of.

8. Certified copy of this order shall be supplied to the counsel for the parties within 48 hours.


(M.Y. PRIOLKAR)
MEMBER (A)


(S.K. CHAUDHARY)
VICE CHAIRMAN

MRJ.