

(18)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 767/91

Transfer Application No:

DATE OF DECISION: 19.1.1995

Shri N.K.Gupta

Petitioner

Shri G.S.Walia

Advocate for the Petitioners

Versus

Union of India & Ors.

Respondent

Shri M.S.Ramamurthy


Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M.S.Deshpande, Vice Chairman

The Hon'ble Shri P.P.Srivastava, Member (A)

1. To be referred to the Reporter or not ?
2. Whether it needs to be circulated to other Benches of the Tribunal ?


(P.P.SRIVASTAVA)
MEMBER (A)


(M.S.DESHPANDE)
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

19

GA.NO. 767/91

Shri N.K.Gupta

... Applicant

V/S.

Union of India & Ors.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri P.P.Srivastava

Appearance

Shri G.S.Walia
Advocate
for the Applicant

Shri M.S.Ramamurthy
Advocate
for the Respondents

ORAL JUDGEMENT

Dated: 19.1.1995

(PER: M.S.Deshpande, Vice Chairman)

The matter was heard for some time. Shri Walia, learned counsel for the applicant stated that he will be satisfied if a direction is made at this stage without prejudice to the merits of the contentions which he has raised in the petition, to the respondents to complete the enquiry including the imposition of penalty if the applicant is found to be guilty of the charges within a period of two months. Shri Ramamurthy for the respondents undertakes that subject to the applicant filing a reply to the show cause notice and the enquiry officer's report which is already furnished to the applicant within a week, the order will be passed by the disciplinary authority within two months from the date of communication of this order.

2. In view of this, we direct that the applicant should furnish his reply to the show cause notice and the enquiry officer's report within a week and the

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disciplinary authority should complete the proceedings including the final order within ten weeks from the date of communication of this order. The OA. is disposed of with the above directions.

3. Dasti.



(P.P.SRIVASTAVA)
MEMBER (A)



(M.S.DESHPANDE)
VICE CHAIRMAN

mrj.

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, BOMBAY

R.P.No. 34/95

in

OA.NO. 767/91

Shri N.K.Gupta
V/s.

... Applicant

Union of India & Ors.

... Respondents

CORAM: Hon'ble Vice Chairman Shri Justice M.S.Deshpande
Hon'ble Member (A) Shri P.P.Srivastava

Tribunal's Order by Circulation

Dated: 30.3.95

In this R.P. the applicant has prayed that the final order issued dated 19.1.1995 be reviewed and it should be considered as interim order of the Tribunal, as also that on expiry of the period of 10 weeks as stipulated in the order, the next hearing should be held two weeks thereafter.

2. The OA. was decided on 19.1.1995 and after hearing both the parties the direction were issued in the operative portion of the judgement as under :-

"In view of this, we direct that the applicant should furnish his reply to the show cause notice and the enquiry officer's report, within a week and the disciplinary authority should complete the proceedings including the final order within ten weeks from the date of communication of this order. The OA. is disposed of with the above directions."

The question of keeping the OA. pending while the directions of the Tribunal are acted upon, the Tribunal was apprised of all the facts by the learned counsel for the applicant at the time of hearing of the OA. on 19.1.1995. No new facts are brought to our notice in the present R.P. which would warrant any change in the judgement which has already been given in this OA. We, therefore, dismiss this R.P. in-lemine.

(P.P.SRIVASTAVA)
MEMBER (A)

(M.S.DESHPANDE)
VICE CHAIRMAN