

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CIRCUIT SITTING AT NAGPUR.

O.A.NO. 253/92
TR.A.NO. ---

199

DATE OF DECISION

--6-9-93

Ifteka Ahmed

Applicant(s)

Versus

Union of India & anr.

Respondent(s)

1. Whether it be referred to the Reporter or not ?
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ?

MEMBER

VICE CHAIRMAN

mbm:

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

CIRCUIT SITTING AT NAGPUR

Q.A.253/93 92

Ifteka Ahmed,
TR/74/4197,
Ordnance Factory,
Ambajhari,
Nagpur - 440 021. .. Applicant

.. Applicant

-versus-

1. Union of India
through
Secretary,
Ministry of Defence,
South Block, New Delhi.

2. The Director General,
Ordnance Factories,
10-A, Auckland Road,
Calcutta - 700 001.

3. The General Manager,
Ordnance Factory,
Aghajhari.

.. Respondents

Coram: Hon'ble Shri Justice M.S.Deshpande
Vice-Chairman.

Hon'ble Ms.Usha Savara, Member(A)

Appearances:

1. Mr. S. H. Iyer
Advocate for the
Applicant.
2. Mr. R. Darda
Counsel for the
Respondents.

ORAL JUDGMENT: Date: 6-9-1993
[PER M.S.Deshpande, Vice-Chairman]

It is apparent that the enquiry against the applicant proceeded on the assumption that he had admitted the charges. We were taken through the two letters filed by him which show that he was not admitting the charges but asked for exoneration and alternatively for lenient

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treatment. No evidence was recorded. It is therefore clear that the order holding the applicant guilty and imposing the punishment on him cannot be sustained.

2. The orders are quashed. Liberty to the respondents to hold the enquiry afresh on condition that the fresh enquiry is initiated ^{of pursued} within one month from today from the stage from which it was left over earlier. The amount recovered from the applicant may be paid to the applicant after the conclusion of the enquiry if he is exonerated.

3. With this direction the application is allowed.

U. Savara
(USHA SAVARA)
M(A)

M.S. Deshpande
(M.S. DESHPANDE)
VC

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