

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(5)

O.A. NO: 658/92 and 680/92 199

~~T.A. NO:~~

DATE OF DECISION 17.8.92

Shri Durve Prafullachandra Sridhar Petitioner
Shri Y.B. Deshpande

Shri B.W. Vaidya Advocate for the Petitioners

Versus

Union of India represented Respondent
Chief General Manager, MNL.

Shri R.C. Kotiankar 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 ?

mbm*

(S.K. DHAON)
VICE CHAIRMAN

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

(6)

Original Application No. 658/92

Shri Durve Prafullachandra Sridhar ... Applicant.

V/s.

Union of India represented
by the Chief General Manager,
Bombay Telephones,
Mahanagar Telephone Nigam Ltd.
Prabhadevi, Bombay. ... Respondent.

Original Application No. 680/92

Shri Y.B. Deshpande ... Applicant

V/s.

Union of India represented
by the Chief General Manager,
Bombay Telephones, MTNL,
Bombay. ... Respondent.

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

Appearance:

Shri B.W. Vaidya, counsel
for the applicant.

Shri R.C. Kotiankar, counsel
for the respondent.

ORAL JUDGEMENT

Dated: 17.8.92

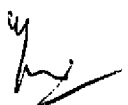
¶ Per Shri S.K. Dhaon, Vice Chairman¶

The applicant has been placed under suspension from 24.7.91. He came with the allegation that since the charge sheet has not been given to him the order of suspension may be revoked. We are informed that now, the charge sheet has been given. Learned counsel for the applicant states that within 24 hours of receipt of charge sheet the applicant has furnished his reply. Learned counsel for the applicant also states that he will not now press this application provided this Tribunal passes an appropriate order directing the disciplinary authority to pass final order in the disciplinary proceedings expeditiously.

Shri Dinkar has been heard in opposition of this application.

We direct the disciplinary authority to pass a final order in the disciplinary proceedings as expeditiously as possible but not beyond the period of six months from the receipt of a certified copy of this order. The applicant is permitted to transmit a certified copy of this order under registered post A/D. We make it clear that disciplinary authority will be obliged to carry out our directions only if the applicant co-operates in the disciplinary proceedings. If the applicant does not co-operate, it will be open to the disciplinary authority to take its own time. We also reserves the right of the disciplinary authority to approach us for extension of time, if necessary.

With these directions this application is disposed off finally.


(M.Y. PRIOLKAR)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN

NS/

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

C.P. No. 67/94 in OA 658/92

C.P. No. 65/94 in OA 680/92

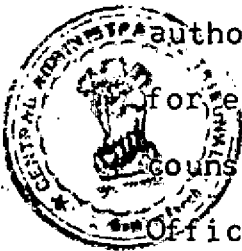
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Tribunal's order


Dated: 4.7.94

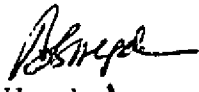
Shri B. Dattamoorthy counsel for the applicant. Shri R.C.Kotiankar, counsel for the respondents.

The Tribunal has passed an order dated 17.8.92 directing the respondents to complete the enquiry proceedings and pass a final order within a period of six months from the date of receipt of a certified copy of this order. ^{They} ~~He~~ also observed that if the applicant does not co-operate, it will be open to the disciplinary authority to take its own time. It is further ^{observed} ~~stated~~ that the disciplinary authority has the right to approach the Tribunal for extension of time, if necessary. Learned counsel for the respondents stated that the presenting Officer was involved in security of state matters, the Bombay Blast case, therefore he could not co-operate with the disciplinary proceedings hence the delay in completion with the disciplinary proceedings.



Learned counsel for the respondents submits that further time of six ^{months} ~~weeks~~ may be granted by which time they will complete the disciplinary proceedings and will pass a final order. In the circumstances time prayed for is granted. Respondents are directed to complete the disciplinary proceedings within six ^{months} ~~weeks~~. C.P. No. 67/94 and 65/94 are disposed of accordingly.


(P.P.Srivastava)
Member (A)


(B.S. Hegde)
Member (J)