

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, GULESTAN, BUILDING NO. 6
PRESOT ROAD, BOMBAY-1

OA No.790/92

Anandrao Ramaji Patil
Geologist (Senior)
Geological Survey of India
Residing at C.P.W.D. Qr.No.75
Type IV, Seminary Hills, Nagpur

3
..Applicant

V/s.

1. Union of India
through the Secretary
Ministry of Mines
Department of Mines,
Shastry Bhawan
New Delhi
2. Secretary to Government of
India, Ministry of Mines
Departments of Mines;
Shastry Bhawan
New Delhi
3. The Director General
Geological Survey of India
27 Jawaharlal Nehru Road
Calcutta
4. The Deputy Director General
Geological Survey of India
Central Region;
Seminary Hills; Nagpur
5. Dr. Balmiki Prasad
Director (Geol.)
Geological Survey of India
Project M.P.-I, Bhopal (MP)

..Respondents

Coram: Hon. Shri Justice S.K. Dhaon, V.C.
Hon. Shri M Y Priolkar, Member (A)

APPEARANCE:

Shri C.S. Taide
Counsel
for the applicant

ORAL JUDGMENT:
(Per: S.K. Dhaon, Vice Chairman)

DATED: 6.8.92

Disciplinary Proceedings had been initiated
against the applicant. On 30.3.90 the Inquiry Officer
submitted his report to the Disciplinary Authority.
Thereafter the applicant was furnished with the report
of the Inquiry Officer. On 7.6.90 the applicant
furnished the explanation. Since then the matter is

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86

before the disciplinary authority.

2. The principle prayer is that the disciplinary authority may be directed to dispose of the disciplinary proceedings expeditiously.

3. On account of the pendency of the disciplinary proceedings, the promotion of the applicant is held up. The Departmental Promotion Committee has kept the matter of promotion of applicant in a sealed cover. More than two years have elapsed since the submission of the explanation of the applicant to the disciplinary authority. By now a final order should have been passed. This not having been done, a case has been made out for issue of directions by us.

4. We direct the Secretary to the Government of India, Ministry of Mines, Respondent no.2, to pass final orders in the disciplinary proceedings initiated against the applicant within a period of three months from the date of production of a certified copy of this order by the applicant before him. The applicant is permitted to transmit a certified copy of this order to the Respondent no.2 under Registered post Acknowledgement Due. We make it clear that we are not expressing any opinion on the other reliefs claimed by the applicant in this application, and therefore, the applicant would be entitled

*See Report
11/193
below*

to press the said reliefs if and when necessary
by taking resort to fresh proceedings.

5. With these directions the application
is disposed of finally.

A copy of this order be sent to the
parties.

Yin
(M Y Priolkar)
Member (A)

Shy
(S K Dhaon)
Vice Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GULESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 1

R.A. NO. 202/92 IN OA NO.790/92

Anandrao Ramji Patil
CPWD Quarter no.75/Type IV,
Seminary Hills, Nagpur

Original Applicant

v/s.

Union of India
through Secretary
Ministry of Mines
Shastry Bhawan
New Delhi & 4 ors.

Respondents

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

TRIBUNALS ORDER:
(Per: S K Dhaon, Vice Chairman)

DATED: 1-1-93

This is a Review Application containing the prayer that either we recall our order dated 6.8.92 or to extend the time for finalising the enquiry proceedings till 31st March 1993.

It appears that we disposed of OA No. 790/92 on 6.8.92 finally with the direction to the Secretary to the Government of India, Ministry of Mines, to pass final orders in the disciplinary proceedings initiated against the applicant within a period of three months from the date of production of a certified copy of the order by the applicant before him (the Secretary).

The allegation made in the application is that the afore/said direction was given by us without affording any opportunity to the respondents, the Union of India and Others.

Without examining the question whether the respondents were given due notice ^{or} not, we accept

84

the second prayer and grant the respondents time till 31.3.1993 to pass final orders in the departmental proceedings which were initiated against the applicant. We, however, make it clear that no further time shall be granted.

With these directions we are disposing of this review application by adopting the process of circulation which is permissible under law.~~or rule~~

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(M Y Priolkar)
Member(A)

S K Dhaon
(S K Dhaon)
Vice Chairman

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