

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 795/93

Transfer Application No: ---

DATE OF DECISION 22-11-93

Smt. Varshaben Rajeshkumar Desai

Petitioner

None for the applicant

Advocate for the Petitioners

Versus

Union of India & Or.

Respondent

Mr. R. K. Shetty

Advocate for the Respondent(s)

CORAM:

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

The Hon'ble Shri 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? *NO*
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? *NO*

  
(M.S.DESHPANDE)  
VC

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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

O.A.795/93

Smt.Varshaben Rajeshkumar Desai,  
C/o. Ishverlal J.Naik,  
Advocate,  
Parkota Street,  
DAMAN.

.. Applicant

-versus-

1. Shri M.Guruswamy,  
Commissioner in  
Regional Provident Fund,  
Bhavishya Nidhi Bhavan,  
Bandra (E)  
Bombay.

2. Shri P.Sudhakar Babu,  
Commissioner in  
Regional Provident Fund,  
Bhavishyanidhi Bhavan,  
Bandra (E)  
Bombay.

3. Union of India  
through  
The Ministry of Labour,  
Central Secretariat,  
New Delhi.

.. Respondents

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

Hon'ble Shri M.Y.Priolkar, Member(A)

Appearances:

1. None for the  
Applicant.
2. Mr.R.K.Shetty  
Counsel for the  
Respondents.

ORAL JUDGMENT:  
(Per M.S.Deshpande, V.C.)

Date: 22-11-93

Applicant absent. None for the applicant.

Mr.R.K.Shetty for the respondents files their written statement.

2. It is apparent that the applicant's grievance is that Shri P.Sudhakar Babu who is appointed as Inquiry Officer had handled certain correspondence and had done certain acts which might prejudice Shri P.Sudhakar Babu against the applicant.

3. Shri R.K.Shetty for the respondents admits that at the pre-enquiry stage Shri Babu had participated.

4. In the circumstance we quash the appointment of Shri Babu as Inquiry Officer and direct the Disciplinary Authority to appoint some other officer as Inquiry Officer. The enquiry shall proceed de-novo from the stage following the service of chargesheet.

5. Application disposed of with this direction.

  
(M.Y.PRIOLKAR)  
Member(A)

  
(M.S.DESHPANDE)  
Vice-Chairman

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