

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No: 717/94

~~XXXXXX XXXX XXXX XXXX XXXX XXXX~~

DATE OF DECISION: 18.7.94

Shri Abdul Bashir Khan

Petitioner

Shri K.R. Pillai

Advocate for the Petitioners

Versus

Union of India and others.

Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri V. Ramakrishnan, Member (A)

The Hon'ble Shri B.S. Hegde, Member (J)

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

*B.S. Hegde*  
(B.S. Hegde)  
Member (J)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH

Original Application No. 717/94

Shri Abdul Bashir Khan

... Applicant.

V/s.

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

Engineer-in-Chief  
Army Headquarters,  
Kashmir House,  
New Delhi

Chief Engineer  
Southern Command  
Pune.

Garrison Engineer (AF)  
Jaisalmer  
Rajasthan

Dy. CDA (SC)  
Khatipura Road  
Jaipur.

... Respondents.

CORAM: Hon'ble Shri V. Ramakrishnan, Member (A)

Hon'ble Shri B.S. Hegde, Member (J)

Appearance:

Shri K.R. Pillai,  
counsel for the applicant.

ORAL JUDGEMENT

Dated: 18.7.94

( Per Shri B.S. Hegde, Member (J) )

Shri Pillai has drawn our attention to Annexure -1 wherein the Tribunal by its order dated 8.8.91 set aside the disciplinary proceedings due to non furnishing of inquiry officer's report to the delinquent official and as a result principles of natural justice were vitiated. The Tribunal further gave liberty to the disciplinary authority to review the proceedings and continuing with it, in accordance with law, from the stage of supply of inquiry report.

....2...

The Competent authority after taking into consideration the inquiry report and other relevant documents on record, has come to the conclusion that charges levelled against Shri A.B.Khan, LDC have been conclusively established which has been initiated by order dated 29.9.92 and accordingly he was dismissed from service from that date. Against which he preferred an appeal which is pending consideration. In the appeal, the applicant has prayed for conversion of dismissal into compulsory retirement, so that he can get the pensionary benefits.

In the light of the above OA is disposed of with the following directions.

The respondents are directed to dispose of his appeal within a period of three months from the date of receipt of this order by passing a speaking order. The respondents may expedite the settlement of his arrears of pay and allowances which is payable to him keeping in view the order dated 13.7.92 as per law.

  
(B.S. Hegde)  
Member (J)

  
(V. Ramakrishnan)  
Member (A)