

(5)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 1379/94
Transfer Application No.

Date of Decision : 12.6.95

M.R. Trivedi

Petitioner

Shri B. Ranganathan for
Shri S.R. Atre

Advocate for the
Petitioners

Versus

Union of India and others

Respondents

Shri R.K. Shetty.

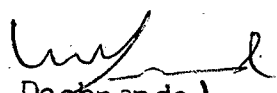
Advocate for the
respondents

C O R A M :

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

The Hon'ble Shri M.R. Kolhatkar, Member (A)

- (1) To be referred to the Reporter or not ? *no*
- (2) Whether it needs to be circulated to other Benches of the Tribunal? *M.*


(M.S. Deshpande)
Vice Chairman

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 1379/94

M.R. Trivedi

... Applicant.

V/s.

Union of India through the
Administrator of Daman & Diu
& Dadra & Nagar Haveli,
Administrators Secretariate,
Govt. of Daman, Diu & Dadra &
Nagar Haveli, Moti Daman.

The Secretary, Union Territory
Administration of Daman & Diu
and Dadra & Nagar Haveli,
Department of Personnel &
Administrative Reforms
Secretariate, Daman

... Respondents.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman

Hon'ble Shri M.R. Kolhatkar, Member (A)

Appearance:

Shri B. Ranganathan for
Shri S.R. Atre, counsel
for the applicant.

Shri R.K. Shetty, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 12.6.95

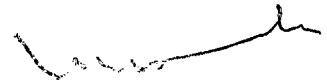
{ Per Shri M.S. Deshpande, Vice Chairman }

The only grievance of the applicant is that the de novo enquiry is being initiated though one of the two witnesses has already been examined in the enquiry. When we questioned the learned counsel for the applicant he stated that he would have no objection to the continuation of the original enquiry proceedings and permitting the respondents to file the statement of imputations in support of the Articles of charge framed against the applicant. We permit the respondents to furnish the statement of imputation to the applicant and direct that the enquiry already pending shall be continued. The witness already examined may be recalled in the

course of the enquiry and this shall not be held against the respondents while determining the legality or otherwise of the enquiry. With this liberty to the respondents, we quash the impugned order dated 20.12.94 and direct the respondents to proceed with the enquiry which was initiated earlier against the applicant subject to the modification we have proposed in the above order. The Enquiry Officer should proceed with the enquiry expeditiously. With this direction the O.A. is disposed of.
No order as to costs.



(M.R. Kolhatkar)
Member (A)



(M.S. Deshpande)
Vice Chairman

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