

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH.

Original Application No: 1134/97.

Date of Decision: 27th March, 1998

Shri Jose Joseph,

Applicant.

Shri C. Nathan,

Advocate for  
Applicant.

Versus

Union Of India & Anr.

Respondent(s)

Shri V. S. Masurkar,

Advocate for  
Respondent(s)

CORAM:

Hon'ble Shri. Justice R. G. Vaidyanatha, Vice-Chairman.

Hon'ble Shri, P. P. Srivastava, Member (A).

- (1) To be referred to the Reporter or not?
- (2) Whether it needs to be circulated to other Benches of the Tribunal?

  
(R.G. VAIDYANATHA)  
VICE-CHAIRMAN.

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CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 1134/97.

Dated this Friday, the 27th day of March, 1998.

CORAM : HON'BLE SHRI JUSTICE R. G. VAIDYANATHA,  
VICE-CHAIRMAN.

HON'BLE SHRI P. P. SRIVASTAVA, MEMBER (A).

Shri Jose Joseph,  
Divisional Engineer  
(Installation),  
Mahanagar Telephone Nigam Ltd.,  
Mumbai Telecom Building,  
Prabhadevi, Dadar (West),  
Mumbai - 400 028.

... Applicant

(By Advocate Shri C. Nathan)

VERSUS

1. Union Of India through  
The Secretary,  
Department of Telecom,  
Sanchar Bhavan,  
Ashoka Road,  
New Delhi - 110 001.

... Respondents.

2. The Chief General Manager,  
Mahanagar Telephone Nigam Ltd.,  
Telephone House, V.S. Marg,  
Dadar (West),  
Mumbai - 400 028.

(By Advocate Shri V.S. Masurkar)

: OPEN COURT ORDER :

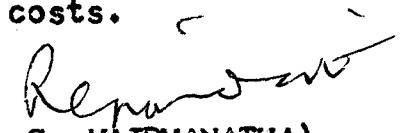
{ PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN }

In this O.A. the applicant is seeking an order for expeditious disposal of the disciplinary case or in the alternative, for a direction to the respondents to consider him for promotion. The respondents have filed reply opposing the O.A. We have heard the Learned Counsels appearing on both sides.

2. Today, at the time of argument, the Learned Counsel for the applicant, on instructions from the applicant who is present before the Court, submits that both the prosecution witnesses and the defence witnesses have already been examined. Shri V.S. Masurkar for the respondents states that he has no instructions on this point as on date. Since a submission is made on behalf of the applicant today that the witnesses have been examined on both sides, we feel that a period of four months for passing final orders in the disciplinary case would be just and reasonable. We also clarify that in case the disciplinary case could not be completed within the time limit due to unavoidable reasons, the respondents can always move this Tribunal for extension of time.

3. In the result, the O.A. is disposed of at the admission stage with a direction to the respondents to expedite the disciplinary enquiry and pass final orders in the disciplinary case by the Disciplinary Authority within a period of four months from the date of receipt of this order. No costs.

  
(P.P. SRIVASTAVA)  
MEMBER (A).

  
(R. G. VAIDYANATHA)  
VICE-CHAIRMAN.