

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO. : 1137 of 1997.

Dated this Wednesday, the 5th day of July, 2000.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).

Hon'ble Shri S. L. Jain, Member (J).

Dr. R. P. Rai,
Sr. Lecturer (CGO Group 'A'),
National Defence Academy,
Khadakwasla, Pune - 411 023.

... Applicant.

(By Advocate Shri S. P. Saxena)

VERSUS

1. The Union of India through
The Secretary,
Ministry of Defence,
DHQ PO, New Delhi - 110 011.

2. The Directorate General
of Military Training,
Army Headquarters (MT-7),
Sena Bhawan,
New Delhi - 110 011.

3. The Commandant,
National Defence Academy,
Khadakwasla, Pune - 411 023.

4. The Vice Chancellor,
Jawaharlal Nehru University,
New Delhi.

5. The Joint Secretary,
Ministry of Defence,
Government of India,
DHQ PO, New Delhi - 110 011.

... Respondents.

(By Advocate Shri R. R. Shetty for
Shri R. K. Shetty).

OPEN COURT ORDER

PER : Shri B. N. Bahadur, Member (A).

The Learned Counsel, Shri S. P. Saxena, appears for the
applicant, Dr. R. P. Rai and the Learned Counsel Shri R. R.
Shetty for Shri R. K. Shetty, appears on behalf of respondents.

[Signature]

... 2

2. It is fairly stated by the Counsel for applicant and confirmed by the counsel for respondents that the D.P.C. which was sought to be held, has since been held and hence, the first prayer of the applicant is rendered infructuous. The Counsel for the respondents also produced before us a copy of order of exoneration of the applicant dated 11.02.2000 in the departmental enquiry that was proceeding against him, namely - Dr. R. P. Rai.

3. We also see and consider M.P. No. 372 of 2000, where the prayer is for a direction to the respondents to now open the sealed cover in respect of the applicant, Dr. R. P. Rai, and act on recommendations therein.

4. We note that the Learned Counsel for respondents has committed that the sealed cover shall now be opened and action taken as per rules, in view of the exoneration. Noting this point, Abd we hereby dispose of the application accordingly. The M.P. No. 372 of 2000 is also disposed of consequently. It is hoped that the action to open the sealed cover and to take further action thereon, as per rules, will be taken as early as possible. No order as to costs.

Abd
(S. L. JAIN)
MEMBER (J).

Abd Bahadur
05/07/2000
(B. N. BAHADUR)
MEMBER (A).