

CENTRAL ADMINISTRATIVE TRIBUNAL  
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 768/98

Date of Decision: 11/9/98

B. H. Ramesh

Petitioner/s

M/s.C.Juris

Advocate for the  
Petitioner/s.

v/s.

Colonel E.C. Boshi

Respondent/s

Advocate for the  
Respondent/s

CORAM:

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

Hon'ble Shri D.S. Baweja, Member (A).

(1) To be referred to the Reporter or not? *rv*

(2) Whether it needs to be circulated to *rv*  
other Benches of the Tribunal?

abp.

*Reporter*  
(R.G. VAIDYANATHA)  
VICE CHAIRMAN

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG. NO. 64TH FLR, PRESCOT RD, FORT,

MUMBAI - 400 001.

ORIGINAL APPLICATION NO. 768/98.

DATED THIS 11TH DAY OF SEPTEMBER, 1998.

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

Hon'ble Shri D.S.Baweja, Member(A).

B.H.Ramesh,  
working in the office of the  
Senior Quality Assurance,  
Establishment(Armament),  
Directorate General Quality,  
Assurance (DGQA) Complex,  
Vikhroli, Bombay - 400 083.

... Applicant.

By Advocate M/s.C.Juris.

v/s.

Colonel K.C.Joshi,  
Senior Quality Establishment,  
(DGQA) Complex,  
L.B.S.Marg,  
Vikhroli,  
Mumbai - 400 003.

... Respondents.

I O R D E R I

I Per Shri R.G.Vaidyanatha, Vice Chairman I

1. Heard M/s.C.Juris for applicant.

The OA is filed challenging the charge sheet issued by respondents against the applicant alleging subletting of quarters. The enquiry is already over and the enquiry officer has already submitted report dated 10/8/98. Therefore, question of staying the enquiry or passing further orders does not arise at this stage. It is for the Disciplinary Authority to pass appropriate orders as per rules.

2. The applicant will have to challenge the same before appropriate Appellate Authority. If he is still unsuccessful after exhausting statutory remedies provided under Section-20 of Administrative Tribunals Act, the applicant can approach this Tribunal. The question of staying the chargesheet does not arise since the enquiry has already been completed. Hence this OA is rejected at the admission stage.



3. In the result, OA is rejected at the admission stage. However, this order is without prejudice to right of applicant to challenge the order before the Appellate Authority, if any adverse order is passed by such Appellate Authority, then he can approach this Tribunal for necessary relief.

*D.S.Baweja*  
(D.S.BAWEJA)

MEMBER(A)

*R.G.Vaidyanatha*  
(R. G. VAIDYANATHA)  
VICE CHAIRMAN

abp.