

(2)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Order : 22.11.1993.

OA 1072/92  
(OA 62/89)

L.A. TOTLANI

... APPLICANT.

V/s.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).  
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant

... SHRI R.N. MATHUR.

For the Respondents

... SHRI U.D. SHARMA.

PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

The applicant, L.A. Totlani, has filed this application u/s 19 of the Administrative Tribunals Act, 1985, praying that the impugned order dated 17.1.1989 (Annexure A-6) issued by the respondent No.2 proposing for removal of the applicant from service under Rule-19 of the CCS (CCA) Rules, 1965, may be quashed and further that the impugned order dated 20.5.1988 (Annexure A-3) placing the applicant under suspension may also be quashed.

2. We have heard the learned counsel for the parties and perused the records.

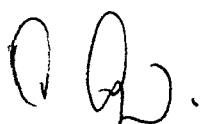
3. The undisputed facts are that the present application has been preferred against the show-cause notice (Annexure A-6) and no adverse order has been

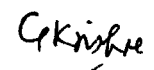
G.Krishna

passed by the respondents till date. The applicant can however make a representation against the show-cause notice issued to him vide Annexure A-6 and the same can be considered by the respondents and if in response to the show-cause notice the applicant is able to satisfy the respondents that the proposed action is unwarranted, the proposed action may not be taken. The learned counsel for the respondents has no objection to deciding the representation to be made by the applicant regarding the show-cause notice at Annexure A-6 on merits.

4. In the circumstances, this OA is disposed of with the following directions :

- a) The applicant shall make a representation to the concerned authorities against the show-cause notice (Annexure A-6) within a period of 15 days from the date of receipt of a copy of this order and the respondents are directed to dispose of the same on merits through a speaking order meeting all the points raised in the representation as expeditiously as possible.
- b) If the applicant feels aggrieved by the decision taken on his representation, he shall be at liberty to file a fresh OA.
- c) There shall be no order as to costs.

  
( O.P. SHARMA )  
MEMBER (A)

  
( GOPAL KRISHNA )  
MEMBER (J)