

(24)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

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O.A. 672/95.

Dt. of Decision : 13-09-95.

T. Narenderjee

.. Applicant.

vs

1. Union of India, Rep.  
by the Secretary,  
Dept. of Revenue,  
Min. of Finance, New Delhi.
2. The Chairman,  
The Central Board of Customs &  
Central Excise, New Delhi.
3. The Collector,  
Central Excise Collectorate  
of Central Excise, Bashirbagh,  
Hyderabad.

.. Respondents.

Counsel for the Applicant : Mr. C.V. Narayana Rao

Counsel for the Respondents : Mr. V. Bhimanna, Addl. CGSC.

CORAM:

THE HON'BLE SHRI JUSTICE V. NEELADRI RAO : VICE CHAIRMAN

THE HON'BLE SHRI A.B. GORTHI : MEMBER (ADMN.)

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To

1. The Secretary, Union of India,  
Dept. of Revenue, Min. of Finance,  
New Delhi.
2. The Chairman, Central Board of Customs  
and Central Excise, New Delhi.
3. The Collector, Central Excise Collectorate  
of Central Excise, Basheerbagh, Hyderabad.
4. One copy to Mr. C. V. Narayana Rao, Advocate, CAT. Hyd.
5. One copy to Mr. V. Bhimanna, Addl. OGSC. CAT. Hyd.
6. One copy to Library, CAT. Hyd.
7. One spare copy.

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## Judgement

( As per Hon. Mr. Justice V. Neeladri Rao, V.C. )

Heard Sri C.V. Naryana Rao, learned counsel for the applicant and Sri V. Bhimanna, learned counsel for the respondents.

2. Charge memo dated 10-8-1990 was issued to the applicant. He retired from service on 31-1-1991. It is alleged for the applicant that the inquiry officer exonerated the applicant by report dated 22-11-1991 and as the disciplinary authority disagreed with the findings of the inquiry officer, show-cause-notice dated 5-12-1994 was issued to the applicant for which he submitted his explanation on 20-12-1994.

3. This OA was presented on 27-4-95 and registered on 2-6-1995. The applicant is seeking relief of quashing the charge memo dated 10-8-1990 on the ground of delay and on some other grounds.

4. Though notice before admission was ordered on 6-6-1995 no reply was filed even till today and it is not stated by the learned counsel for respondents as to why the matter could not be disposed even till today.

5. In the circumstances this OA is ordered as under at the admission stage :

Inquiry in pursuance of the charge memo dated 10-8-90 has to be disposed of by 30-11-1995, failing which the DCRG has to be released by 15-12-1995. If the disciplinary authority is going to hold ultimately the applicant guilty this order does not debar the concerned authority from passing the appropriate order in accordance with law.

6. OA is ordered accordingly at the admission stage.

No costs.//

*Shambuji*  
(A.B. Gorathi)  
Member (Admn)

*V. Neeladri Rao*  
(V. Neeladri Rao)  
Vice Chairman

Dated ; Sept, 13, 95  
Dictated in open court

TYPED BY

CHECKED BY

COMPARED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE V.NEELADIRAO  
VICE CHAIRMAN

AND  
A. B. Gorde  
THE HON'BLE MR. R. RANGARAJAN : M(A)

DATED: 13-9 -1995

ORDER/JUDGMENT

M.A./R.A./C.A. No.

in  
O.A. No. 672/95

T.A. No. (W.P. No. )

Admitted and Interim directions  
Issued.

Allowed.

Disposed of with directions.

Dismissed.

Dismissed as withdrawn.

Dismissed for default.

Ordered/Rejected.

No order as to costs.

No Spare Copy

P.V.M.

