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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD

O.A.No. 399/99

Date of Order : 22.4.99

BETWEEN :

Satish Chandra

.. Applicant.

AND

1. The Chief Secretary,
Government of A.P.
A.P.Secretariat,
Hyderabad.

2. The Secretary (Political),
GA (SER - D) Dept. (Political)
Government of A.P.
A.P.Secretariat, Hyderabad.

3. Union of India, rep. by its
Secretary Personnel and
Training, New Delhi.

.. Respondents.

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Counsel for the Applicant

.. Mr.B.Kamalakar Rao

Counsel for the Respondents

.. Mr.B.N.Sharma
for R-3

.. Mr.Anil Kumar
for R-1 and 2

— — —

CORAM :

HON'BLE SHRI R.RANGARAJAN : MEMBER (ADMN.)

HON'BLE SHRI B.S. JAI PARAMESHWAR : MEMBER (JUDL.)

— — —

O R D E R

X As per Hon'ble Shri B.S.Jai Parameshwar, Member (J) X

J

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.. 2 ..

2. The applicant herein is a retired I.F.S. Officer of the State of A.P. He was served with memorandum of charges on 19.12.97 alleging certain irregularities which resulted in loss to the State Government. It is stated that the enquiry has not been commenced as yet and that retiral benefits have not been sanctioned to the applicant.

3. Hence the applicant has filed this OA to call for the records relating to the G.O.No.6519 dated 19.12.97 and to quash the same as illegal, arbitrary and violative of Articles 14, 16 and 21 of the Constitution of India.

4. The learned counsel for the State Government submitted that the respondents 1 and 2 will take necessary action in concluding the disciplinary proceedings within a period of 6 months.

5. The charge sheeted officer is a retired official. The retired official cannot be ~~hang~~ ^{in a dilemma} _{of his} ~~on~~ for a long time without final settlement dues. Human consideration is necessary to a retired officer as he is depending only on pension and pensionary benefits. Hence we feel it is justifiable a time - target is fixed for finalising the enquiry proceedings and passing a final order. We feel that 6 months period from the date of receipt of a copy of this order will be sufficient for the respondents to complete the disciplinary proceedings and pass the punishment order by then if he is found guilty.

JL

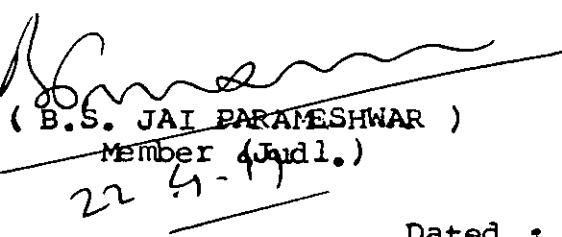
.. 3 ..

If the target is not adhered to then the whole charge sheet proceedings stands quashed.

6. In the result the following direction is given :-

R-1 and R-2 should finalise the charge sheet dated 19.12.97 within a period of 6 months from the date of receipt of a copy of this order. The completion of charge ^{sheet} proceedings includes passing of ^{the} final order by the competent disciplinary authority. If the above target is ^{not} adhered to, the charge sheet stands quashed.

7. The OA is ordered accordingly at the admission stage itself. No costs.


(B.S. JAI PARAMESHWAR)

Member (Judl.)

22/4/99


(R. RANGARAJAN)

Member (Admn.)

Dated : 22nd April, 1999

(Dictated in Open Court)

sd

COPY TO:-

1. HONJ
2. HHRP M(A)
3. HOSJP M(J)
4. B.R. (A)
5. SPARE

1ST AND 2ND COURT

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH : HYDERABAD.

THE HON'BLE MR. JUSTICE D.H.NASIR :
VICE - CHAIRMAN

THE HON'BLE MR. H.RAJENDRA PRASAD :
MEMBER (A)-

THE HON'BLE MR.R.RANGARAJAN :
MEMBER (A)

THE HON'BLE MR.B.S.JAI PARAMESWAR :
MEMBER (J)

DATED: 22/4/99

ORDER / JUDGEMENT

MA/R.A./C.P.HD.

IN

O.A. NO. 399/99

ADMITTED AND INTERIM DIRECTIONS
ISSUED.

ALLOWED.

C.P. CLOSED.

R.A. CLOSED.

DISPOSED OF WITH HYDERABAD BENCH

DISMISSED.

DISMISSED AS WITHDRAWN.

ORDERED/REJECTED:

NO ORDER AS TO COSTS.

SRR

9. Nine) (contd)

