

A-2

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH
JAIPUR

O.A.510/93

Dt. of order: 17.9.93

Raj Kamal Mala

: Applicant

Vs.

Union of India & Ors.

: Respondents

Mr.J.K.Kaushik

: Counsel for applicant.

CORAM

Hon'ble Mr.Justice D.L.Mehta, Vice Chairman

Hon'ble Mr.O.P.Sharma, Member (Adm.).

PER HON'BLE MR.JUSTICE D.L.MEHTA, VICE CHAIRMAN.

Heard the learned counsel for the applicant and perused Annx.A-1 dated 26.7.93. There was ^{an} allegation against the applicant about ^{his} ~~the~~ involvement in distilling the illicit liquor in his quarter. The applicant has accepted the above misconduct. The authorities decided to get the quarter vacated and issued a notice to the applicant to vacate the quarter within 10 days. Even in this order it has been mentioned that appropriate action will be taken against him to get the quarter vacated if he does not vacate. In fact, the respondents were liberal in taking this view and they ^{have} ~~taken~~ ^{the view} ~~a device~~ that the act of illicit distillation which had happened in the colony should not be made public and for this purpose ~~the~~ order has been passed to avoid further illicit distillation. Ordinarily it is a cognisable offence and it was the duty of the respondents to get ^a ~~the~~ criminal case registered and they have violated the ^{law} ~~same~~ only to avoid ^{adverse} ~~the~~ publicity. In such circumstances, the order passed by the respondents cannot be said to be illegal and no relief can be granted to the applicant. The O.A. is dismissed.

(O.P.Sharma)
Member(A).

(D.L.Mehta)
Vice Chairman.