

3 (Ans)

## C. A. T. Bench, JAIPUR

Date of Order	Orders MP 280/93 MP 281/93
25.5.93	<p>Mr. N.C. Goyal - counsel for the petitioner.</p> <p>Mr. K.P. Mishra - counsel for the respondents.</p> <p>By M.P. No. 280/93, the petitioner desires that Mr. K.N. Bhargava, I.A.S, Commissioner, Departmental Enquiries (ex) Jaipur, who conducted a formal enquiry against him and the Union Public Service Commission, who tendered advice in his case regarding imposing penalty etc. may also be allowed to be impleaded as respondents in this case.</p> <p>By M.P. No. 281/93, the petitioner desires that the Tribunal may call <del>the</del> for the entire records relating to the proceedings of the disciplinary enquiry report, record of the joint Departmental Enquiry from the office of the Deputy Secretary, Department of Personnel (A III) Rajasthan, Jaipur.</p> <p>Departmental proceedings were initiated against the applicant. The Hon'ble High Court of Rajasthan, granted stay against the departmental proceedings. The writ petition filed by the applicant has since been transferred to this Tribunal and is pending. The 2 M.Ps referred above have been filed in connection with the matter contained in the said writ petition which has been transferred to this Tribunal.</p> <p>As far as the conduct of the Enquiry Officer is concerned, the records of the enquiry <sup>will</sup> speak for themselves. We do not consider it necessary to implead Mr. K.N. Bhargava, former Commissioner, Departmental Enquiries. Similarly, <sup>when</sup> the records of the UPSC are examined, these will also give us clues as to how the UPSC tendered the particular advice. In such situation, it will not be necessary to implead the UPSC also as respondent.</p> <p>The learned counsel for the respondent undertakes to produce the complete records of the departmental enquiry conducted by the former Commissioner of Departmental Enquiry and also the file of the UPSC from which the particular advice was tendered. <sup>When</sup> These records and files are produced, the purpose of the applicant will be fully served.</p>

# In The Central Administrative Tribunal, Jaipur Bench, Jaipur

OA./TA/MP, No. \_\_\_\_\_/199

Versus

Date of Order	Orders
	<p>In the above circumstances and in the light of the above observations, these M.Ps No.280/93 and No.281/93 stand disposed of.</p> <p><i>O.P.Sharma</i> (O.P.Sharma) Member(A).</p>
	<p><i>G.Krishna</i> (Gopal Krishna) Member(J).</p> <p>Copy sent to the app. &amp; rep. concerned over file <u>3975&amp;3976</u> Date <u>14-6-93</u></p> <p><i>S</i></p>