

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

O.A.No.307/93

Dt. of order: 12.4.94

S.L.Srivastava

: Applicant

Vs.

Union of India & Ors.

: Respondents

Applicant present in person

Mr.N.K.Jain

: Counsel for the respondents

CORAM:

Hon'ble Mr.Gopal Krishna, Member(Judl.)

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


PER HON'BLE MR.O.P.SHARMA, MEMBER(ADM.)

Applicant S.L.Srivastava, has filed this application under Sec.19 of the Administrative Tribunals Act, 1985, wherein he has prayed that the charge sheet dated 9.2.93 (Annex.A-1) may be quashed and the applicant's name may be considered for promotion <sup>to</sup> in the post of Regional Provident Fund Commissioner Gr.II, as if no enquiry had been ordered against him, and from the date his juniors have been considered and promoted. He has also prayed for consequential benefits of pay, seniority, etc.

2. We have heard the applicant who was present in person and the learned counsel for the respondents and have gone through the records. Various grounds have been raised in the application in support of the reliefs sought by the applicant. The respondents have in their reply contested the claims of the applicant. However, the applicant during the arguments did not press the various reliefs sought but instead agreed to the suggestion made by the learned counsel for the respondents that the enquiry and the disciplinary proceedings may be completed within a time framed to be specified by the Tribunal. In these circumstances, we direct that the enquiry under Rule 10 of the Employees Provident Fund Staff (CCA) Rules, 1971, shall be completed by the respondents within a period of 4 months from the date of the receipt of a copy of this order and the entire disciplinary proceedings culminating in the passing of the final order by the Disciplinary Authority shall be concluded within a further period of 2 months. In case the applicant is exonerated of the charges

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framed against him, he shall be entitled to all the consequential benefits. In case the applicant is aggrieved by any order passed by the Disciplinary Authority he shall be at liberty to file a fresh O.A. in the Tribunal after exhausting the departmental remedies available to him. The O.A. is disposed of with no order as to costs.

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

  
(Gopal Krishna)  
Member (J).