IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 03.10.94.

OA 437/94

S.K. MUNDRA ... APPLICANT.

V/s.

UNION OF INDIA & ORS. ... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L.MEHTA, VICE CHAIRMAN.
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant ... SHRI MAHENDRA SHAH.

For the Respondents ... ---

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

Heard the learned counsel for the applicant. The learned counsel for the applicant has submitted that the orders were passed in quasi-judicial capacity and they cannot be looked into. We will not like to observe anything at this stage. However, there is a reference in the memo that the applicant wanted to show favour to the ~~see~~ Annexure. This may be an exception to the general principles. However, we will not like to observe at this stage whether this exception should be carved out or not and what view should be taken about this action. From the other points also it may be considered as an exception but we will not like to observe anything.

2. The learned counsel for the applicant has also invited our attention to Annexure-2A and submitted that in the said memo Sl.No.2 of Annexure-III has been delated. This further goes to show that there is nothing like a prejudice and his representation was considered to some extent by the respondents. We will not like to make any further observation at this stage as it may adversely affect the merit of the case and our observations made earlier should not also be considered which may adversely affect on either side.

.....2.

3. We are of the view that the applicant should raise all the objections, which he is raising, before the enquiry officer and the disciplinary authority and the same shall be considered by the authorities according to law. We will not like to interfere at this stage. The enquiry should be completed within a reasonable period.

4. OA stands disposed of accordingly, with no order as to costs.

(O.P. SHARMA)
MEMBER (A)

(D.L. MEHTA)
VICE CHAIRMAN