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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,  
JAIPUR BENCH, JAIPUR

Date of order: 15-5-1996

OA No. 230/96

Jaswant Singh Cambow

.. Applicant

Versus

Union of India and others .. Respondents

Mr. Shiv Kumar, counsel for the applicant

CORAM:

Hon'ble Mr. O.P.Sharma, Administrative Member

Hon'ble Mr. Rattan Prakash, Judicial Member

ORDER

Per Hon'ble Mr. O.P.Sharma, Administrative Member

In this application under Section 19 of the Administrative Tribunals Act, 1995, Shri Jaswant Singh Cambow has prayed that the charge sheet dated 29-12-1996 (should be 29-12-1995) (Annexure-A2) issued to the applicant under Rule 16 of the CCS (CCA) Rules, may be quashed with all consequential benefits.

2. We have heard the learned counsel for the applicant and have gone through the material on record.

3. A charge sheet under Rule 16 of the CCS (CCA) Rules was issued to the applicant vide Annexure-A2. The date of the memorandum of the charges has been described as 29th December, 1996. However, this appears to be a typographical error and the date actually, as stated by the learned counsel for the applicant, is 29th December, 1995. The charges against the applicant include failure to join duty at the new place of posting on transfer, bringing political pressure to get his orders cancelled etc. The applicant had replied to the charge sheet by communication dated

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16-1-1996. The said communication is not on record. However, the learned counsel for the applicant states that he has sought to place this communication on record by filing a separate Misc. Application, which has, however, not been listed today. Various grounds have been raised in the OA for assailing the charge sheet issued to the applicant. At this stage when only a charge sheet issued to the applicant, we are not inclined to interfere in the matter. It is for the disciplinary authority to take appropriate view about the matter in the light of the reply submitted by the applicant to the charge sheet. The learned counsel for the applicant states that the applicant is retiring shortly and, therefore, it is necessary that a view about the charge sheet in the light of the reply submitted by the applicant should be taken at the earliest. According to him, although the reply was submitted on 16-1-1996 and about 4 months have since passed, the respondents have not taken any further action in the matter.

4. In the circumstances, we direct the disciplinary authority i.e. Chief General Manager, Rajasthan Telecom Circle, Jaipur to take a decision regarding further action with regard to the charge sheet issued to the applicant in the light, inter alia, of the reply submitted by the applicant. Since according to the learned counsel for the applicant, the applicant is retiring very shortly, it is desirable that appropriate action in this regard should be taken by the disciplinary authority as expeditiously as possible and in any case well before the retirement of the applicant.

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5. The OA is disposed of accordingly at the admission stage. Let a copy of the OA alongwith Annexures thereto be sent to the Chief General Manager, Telecom, Rajasthan Telecom Circle, Jaipur, respondent No.2, alongwith a copy of the order of the Tribunal for necessary action. The applicant shall directly send another copy of the reply submitted by him to the charge sheet to respondent No.2, giving a reference to the order of the Tribunal.

  
(B. P. Prajapati)

Judicial Member

  
(O. P. Sharma)

Administrative Member