

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH ::: GUWAHATI-5.

O.A.No. 204 of 1998.

DATE OF DECISION...3.12.1998.....

Shri Durllabh Chandra Das

(PETITIONER(S))

Shri S.Muktar

ADVOCATE FOR THE
PETITIONER(S)

VERSUS

Union 66 India & Ors.

RESPONDENT(S)

Shri S. Ali, Sr.C.G.S.C

ADVOCATE FOR THE
RESPONDENTS.

THE HON'BLE JUSTICE SHRI D.N.BARUAH, VICE CHAIRMAN.

THE HON'BLE SHRI G.L.SANGLYINE, ADMINISTRATIVE MEMBER.

1. Whether Reporters of local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the judgment ?
4. Whether the Judgment is to be circulated to the other Benches ?

Judgment delivered by Hon'ble Vice-Chairman.



CENTRAL ADMINISTRATIVE TRIBUNAL, GUWAHATI BENCH.

Original Application No. 204 of 1998.

Date of Order : This the 3rd Day of December, 1998.

Justice Shri D.N. Baruah, Vice-Chairman.

Shri G.L. Sanglyine, Administrative Member.

Shri Durllabh Chandra Das,
son of late Sara Kanta Das,
resident of Laokhowa Road,
P.O. Haibargaon, Nagaon (Assam) . . . Applicant.

By Advocate Sri S. Muktar.

- Versus -

1. The Union of India through the
Secretary to the Govt. of India,
Department of Telecommunications,
New Delhi.
2. The Chief General Manager,
Telecommunications, Guwahati.
3. The Telecom District Manager,
Nagaon, Dist. Nagaon, Assam. . . . Respondents

By Advocate Sri S. Ali, Sr.C.G.S.C.

O R D E R

BARUAH J.(V.C)

This application has been filed by the applicant seeking certain directions. The case of the applicant is that at the relevant time he was working as Telecom Office Assistant in the office of the Telecom District Manager, Nagaon. In connection with some alleged defalcation of an amount of Rs. 1,40,994/- the applicant was suspended as far back on 23.5.1995 pending of drawal of a disciplinary proceeding. But to our surprise till now he is under suspension. The disciplinary proceeding has not yet been completed. As per rule disciplinary proceeding should commence immediately after the suspension and should be disposed of as early as possible. However, this had not

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happened in the present case. Hence this present application.

2. We have heard Mr S.Muktar, learned counsel appearing on behalf of the applicant and Mr S.Ali, learned Sr.C.G.S.C for the respondents. Mr Muktar submits before us that the authority has unnecessarily kept the disciplinary proceeding pending. The applicant has been kept under suspension without any reasonable cause. Mr Ali on the other hand submits that it is true that there has been delay but delay had been caused for various reasons. Mr Ali, however, has not elaborated as to why the delay was caused. Enquiry Officer was appointed long back in 1995 but the proceeding still remains incomplete. Mr Ali submits that it was because of seizure of the documents by the Central Bureau of Investigation. This should not have happened. It is really a sorry state of affair.

3. Considering the entire facts and circumstances we direct the respondents to dispose of the disciplinary proceeding as early as possible at any rate within a period of 2 months from the date of receipt of this order. If necessary by holding day to day enquiry within the mentioned period.

Considering the entire facts and circumstances of the case we however make no order as to costs.


(G.L.SANGLYINE)
ADMINISTRATIVE MEMBER


(D.N.BARUAH)
VICE CHAIRMAN