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CENTRAL ADMINISTRATIVE TRIBUNAL,
JABALPUR BENCH,
JABALPUR

Original Application No. 670 of 2006

Jabalpur, this the 18th day of September, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mr. A.K. Gaur, Judicial Member

Mohd. Rafique, S/o. Late Shri
Chhote Khan, Aged about 54 years,
R/o. Q. No. 33, MES Colony,
Katanga, Behind GE Office Area,
Cantt. Jabalpur.

..... **Applicant**

**(By Advocate – Shri Manoj Sharma along with Shri P.S.
Chaturvedi)**

A. The Union of India,
Through : The Secretary,
Ministry of Defence,
New Delhi.

A-1. Chief Engineer,
MES, Central Command,
Lucknow (UP).

B. Commander Works Engineer,
MES Cantt Supply Road,
Distt. Jabalpur (MP).

C. Garrison Engineer West
MES Cantt Supply Road,
Distt.-Jabalpur (MP).

..... **Respondents**

(By Advocate – Shri M. Chourasia)

O R D E R (Oral)

By Dr. G.C. Srivastava, Vice Chairman –

The applicant has challenged the order of the disciplinary authority passed on 8th September, 2006 (Annexure A-10) dismissing him from service with effect from 30th September, 2006 on the ground

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that the charge framed against him in respect of submission of false documents has been proved. The applicant has appealed against this order of the disciplinary authority vide Annexure A-11 on 13.9.2006. The learned counsel for the applicant submits that the applicant ^{will be} satisfied if the Department is directed to decide the appeal of the applicant within a reasonable time by ^a speaking and reasoned order and till then the order of dismissal may not be given effect to.

2. We have gone through the documents on record as well as the appeal petition and have also heard learned counsel for the respondents Shri M. Chourasia.

3. We are of the view that ends of justice would be met if the appellate authority i.e. the Chief Engineer, MES, Jabalpur Zone, Central Command, Lucknow is directed to consider and decide the appeal of the applicant within a stipulated period. Although he has not been impleaded as one of the respondents, we permit the applicant to implead him as one of the respondents during the course of this day. We direct the appellate authority to decide the appeal of the applicant within a period of two months from the date of receipt of a copy of this order by a reasoned, detailed and speaking order and in the interest of justice we further direct that till then the order of the disciplinary authority passed on 8.9.2006 (Annexure A-10) shall not be given effect to.

4. With these directions the Original Application is disposed of.

A.K. Gaur
(A.K. Gaur)
Judicial Member

G. C. Srivastava
(Dr. G.C. Srivastava)
Vice Chairman

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पृष्ठांकन सं ओ/न्या.....जबलपुर, दि.....
पत्तिलिपि अद्यो पित:-

- (1) सचिव, उच्च न्यायालय वर एडवोकेटजन, जबलपुर
 - (2) आवेदक श्री/श्रीमती/शु.....के काउंसल
 - (3) प्रत्यर्थी श्री/श्रीमती/शु.....के काउंसल
 - (4) बांधपाल, को.प्र.अ., जबलपुर न्यायाधीश
- सूचना एवं आवश्यक कार्यवाही हेतु

P. J. Chaturvedi
M. Chaturvedi

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on 13-9-06

19/9/06
रजिस्ट्रार