

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 788 of 2003

Jabalpur, this the 19th day of November, 2003

Hon'ble Shri M.P. Singh, Vice Chairman  
Hon'ble Shri G. Shanthappa, Judicial Member

Baldeo Prasad Dubey,  
S/o Dwarka Prasad Dubey,  
aged about \_\_\_ years, R/o.  
Village Pahari, P.O. Nimar,  
P.S. Tikuri, Distt. Katni. ... Applicant

(By Advocate - Shri V. Tripathi)

V e r s u s

1. Union of India,  
through its Secretary,  
Ministry of Defence (Defence  
Production) South Block,  
New Delhi.
2. The Chairman,  
Ordnance Factory Board,  
10-A, Shahid Khudiram Bose  
Marg, Kolkata.
3. The General Manager,  
Ordnance Factory, Katni,  
Distt. Katni. ... Respondents

O R D E R (Oral)

By M.P. Singh, Vice Chairman -

The applicant by filing this Original Application has sought the relief to quash and set aside the order of the disciplinary authority dated the 14th December, 2002 (Annexure A-1) and has sought further direction to reinstate him with all consequential benefits.

2. The facts of the case, as per the applicant, are that he was appointed as Unskilled Labour in the Ordnance Factory, Katni, on 15.03.1986. He was served with a charge sheet dated 26th July, 1992. An enquiry was held against him. The enquiry officer held the charge proved. The disciplinary authority passed the order dated 26th June, 1995, whereby the applicant was dismissed from service. Aggrieved by this

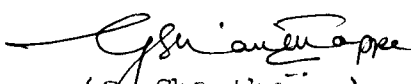
he filed an Original Application No. 791/1996 and the

Tribunal vide its order dated 18th February, 2002 quashed the dismissal order passed by the disciplinary authority and the respondents were given liberty to proceed with the enquiry from the appropriate stage. The enquiry has been conducted further and the charges have been established against the applicant. The disciplinary authority after examining the enquiry report and evidence produced during the course of enquiry has agreed with the finding of the officer ~~enquiry~~ and has passed the order of dismissal from Government service with effect from 14.12.2002.

3. The applicant has filed an appeal against the order of the disciplinary authority in January, 2003 (Annexure A-10). Till now the appellate authority has not taken any decision on the appeal filed by the applicant.

4. In the circumstances we deem it appropriate to dispose of this Original Application at the admission stage itself even without issuing notices to the respondents by directing the appellate authority to decide the appeal of the applicant by passing a detailed, speaking and reasoned order within a period of two months from the date of receipt of copy of this order.

5. Accordingly, the Original Application stands disposed of.

  
(G. Shanthappa)  
Judicial Member

  
(M.P. Singh)  
Vice Chairman

*Final*  
*ms*  
*27-11-03*

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पृष्ठान्तर्गत सं. क्रमांक.....  
दस्तावेज सं. क्रमांक.....  
(1) उद्देश्य  
(2) उद्देश्य  
(3) प्रत्यक्षीकरण  
(4) न्यायालय, न्यायाधीश, न्यायाधीश  
सचिव एवं अन्य अधिकारी

सचिव S. Paul, Adm

*ms*  
*27-11-03*

उप रजिस्ट्रार