

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 823 of 2003

Jabalpur, this the 2nd day of December, 2003

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

H. Ramaseshan, aged 41 years,
Occupation-Service, Works
Manager, Ordnance Factory,
Chanda.

... Applicant

(By Advocate - Shri S.P. Sinha)

V e r s u s

Union of India, through
its Secretary, Department of
Defence Production and Supplies,
Ministry of Defence, New Delhi.

... Respondents

O R D E R (Oral)

By G. Shanthappa, Judicial Member -

The above Original Application is filed seeking the relief to quash the OM dated 18th July, 2003 (Annexure A-1) and also alternative relief for directing the respondents to pass a reasoned order after affording personal hearing and taking into account the facts and circumstances of the case.

2. The case of the applicant is that there was a charge against him under the Prevention of Corruption Act by the Special Judge, CBI, Jabalpur. He was convicted by the Sessions Court and against which the applicant filed an appeal before the Hon'ble High Court of ^{Madhya Pradesh at} Jabalpur in Criminal Appeal No. 1418/2002 as per Annexure A-8. The said criminal appeal is pending in the Hon'ble High Court. The same is posted for hearing during the month of January, 2004. In the meanwhile the applicant was served with a show cause

notice dated 18th July, 2003 vide Annexure A-1 on the ground that the applicant is not a fit person to be retained in the services and accordingly proposes to impose on him the penalty of Dismissal from the service. When the said show cause notice was issued to the applicant, he submitted his representations dated 27.09.2002, which was earlier to the show cause notice and subsequent to show cause notice he has submitted his representation dated 22.11.2003. The counsel for the applicant submitted that the said representations are still pending and he has requested that there shall be a direction to the respondents not to pass any kind of orders till the Hon'ble High Court takes a final decision. The applicant has also submitted that in a similar case the Central Administrative Tribunal, Hyderabad Bench has passed an order dated 05.03.2002 in OA No. 260/02 vide Annexure A-11.

3. Only on the short ground we are disposing of the above Original Application directing the respondents to consider the representations submitted by the applicant dated 27.09.2002 and also 22.11.2003 and pass an appropriate order considering the orders of the Central Administrative Tribunal, Hyderabad Bench, within a period of two months from the date of receipt of copy of this order.

4. Accordingly, the Original Application stands disposed of at admission stage itself.

(G. Shanthappa)
(G. Shanthappa)
Judicial Member

(M.P. Singh)
(M.P. Singh)
Vice Chairman

Received
3/12/03

"SA"

प्रमाणित की जायेगा..... दि.....

(1) जलवायु

(2) स P Sinha, Hohn

(3) Res. No.1

(4) दि

सूचना एवं सूचनाएं

(Signature)

31/12/03