

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 475 of 2001

Jabalpur, this the 14th day of May, 2004

Hon'ble Mr. M.P. Singh, Vice Chairman  
Hon'ble Mr. Madan Mohan, Judicial Member

Manohar Lal Khanna  
Asstt. Central Intelligence Officer  
Grade-I,  
Office of the Joint Director,  
Subsidiary Intelligence Bureau, MHA  
Govt. of India, MP, Bhopal  
Char Imli, Bhopal (MP)  
M.L. Khanna,  
41, Marwari Road, Bhopal (MP)

APPLICANT

(By Advocate - None)

VERSUS

1. Union of India  
Through the Secretary,  
Ministry of Home Affairs,  
Govt. of India, New Delhi.
2. The Appellate Authority  
The Director,  
Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India, New Delhi.
3. The Disciplinary Authority,  
The Joint Director,  
C/o Dy. Director,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India,  
Char Imli, Bhopal (MP)
4. Shri Satinder Singh,  
Former Joint Director,  
Subsidiary Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India,  
Bhopal (MP)  
Present Address:  
care of respondent No.2
5. Shri P.P. Nautiyal, Former Asstt.  
Director, Subsidiary Intelligence  
Bureau Ministry of Home Affairs,  
Govt. of India, Bhopal (MP)  
Present Address :  
Care of respondent No.2

MLK

6. Pay & Accounts Officer,  
Intelligence Bureau,  
Ministry of Home Affairs,  
Govt. of India,  
AGCR Bldg, New Delhi.

RESPONDENTS

(By Advocate - Shri Harshit Patel on behalf of  
Shri S.C. Sharma)

O R D E R (ORAL)

By M.F. Singh, Vice Chairman -

By filing this OA, the applicant has sought the following main reliefs :.

"0.1). Respondents be directed to set aside the illegal/unprocedural/timebarred DE initiated against the applicant on 6/5/1997 with immediate effect

i) to release payment of withheld (specially sanctioned) provisional pay w.e.f. 12.10.1992 onwards till date with consequential benefits of increments, pay-fixation, interest etc.

ii) to grant withheld promotions w.e.f. November 1989 onwards till date with consequential benefits of its arrears.

b) To issue GPF Account Slips w.e.f. 1984-85 onwards till date by respondent No.6"

2. None is present on behalf of the applicant. Since, it is an old matter of the year 2001, we are disposing of this OA by invoking the provisions of Rule 15 of Central Administrative Tribunal (procedure) Rules, 1987. Heard the learned counsel for the respondents.

3. The brief facts of the case are that the applicant had joined Intelligence Bureau on 30.1.1969 as ACIO-II and was promoted to the rank of ACIO-I in the year 1981. According to the applicant, he was due for promotion to the rank of DCIO and JAD which was not granted to him, onwards. He was issued with a charge sheet dated 6.5.97. An enquiry is being held against the charge sheet. He has come before us making a prayer that the charge sheet be quashed.



4. The learned counsel for the respondents states that the enquiry has been completed and the disciplinary authority vide order dated 5.8.2003 has imposed the penalty of compulsory retirement on the applicant, which is not challenged here. Since, the enquiry has already been completed and the major penalty of compulsory retirement has been imposed upon the applicant and that order is not challenged by the applicant, <sup>This OA has become infructuous</sup> ~~In this view of the matter there is no force in this OA~~ and it is accordingly dismissed. No costs.

(Madan Mohan)  
Judicial Member

(M.P. Singh)  
Vice Chairman

SKM

पृष्ठंकन सं ओ/न्या.....जबलपुर, दि.....

पतिविविध आये दित:-

- (1) सविन, एका न्यायपालिका बाट एका निवेदन, जबलपुर
- (2) आवेदन श्री/श्री मते.....के काउंसल applicant
- (3) प्रत्यक्षी श्री/श्री मते.....के काउंसल SC Sharma
- (4) बांयपल्ल, वेराडा, जबलपुर न्यायपीठ  
सूचना एवं आवश्यक कार्यवाही हेतु

*Signature*  
1.6.04

*Issued on 1-6-04*