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**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...  
**ORIGINAL APPLICATION NO.060/00695/2014  
Chandigarh, this the 03<sup>rd</sup> Day of March, 2015**

**CORAM:** **HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).**  
**HON'BLE MR. UDAY KUMAR VARMA, MEMBER (A).**

Usha Kumari, aged 25 years D/o Shri Lachman Singh, W/o Sh. Harkesh Kumar, r/o Village Khera Khurampur, Tehsil Farrukhnagar, District Gurgaon (Haryana) presently resident of Quarter No.B-7, BSNL Staff Colony, SST Nagar, Patiala (Punjab)

... Applicant

**Versus**

1. Bharat Sanchar Nigam Limited, Corporate Office, Bharat Sanchar Bhawan, 4<sup>th</sup> Floor, Harish Chander Mathur Lane, Janpath, New Delhi, through its Chairman-cum-Managing Director.
2. Chief General Manager, Telecom, Bharat Sanchar Nigam Limited, Haryana Telecom Circle, Ambala Cantt.
3. General Manager Telecom 'District', Bharat Sanchar Nigam Limited, Telephone Exchange, Gurgaon.

... Respondents

**Present:** Sh. R.K. Sharma, counsel for the applicant.  
Sh. D.R. Sharma, counsel for the respondents.

**ORDER (ORAL)**

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J):-**

1. The present OA has been filed against order dated 11.07.2014 vide which the request of the applicant to depute her on training for the post of TTA has been rejected (Annexure A-1).
2. Pursuant to the notice, the respondents contested claim of the applicant by filing a written statement wherein it has been stated that

a vigilance inquiry is pending against the applicant regarding the same very examination and till the same is concluded, she cannot be deputed for the above said training.

3. Learned counsel for the respondents submits that whenever the respondents ask the applicant to participate in the inquiry proceedings, she replies that since the matter is sub-judice before this Court, she would not participate in the same.
4. It is also gather from the impugned order that the same very objection had been taken by the respondents, while rejecting the claim of the applicant that till vigilance inquiry for use of unfair means is pending against the applicant, she cannot be deputed on training. She is avoiding to participate in the inquiry due to pendency of this case.
5. In view of the circumstances as narrated above, we hereby direct the respondents to conclude the pending vigilance inquiry, after affording an opportunity of hearing to the applicant by seeking her defence and thereafter pass a reasoned and speaking order in accordance with law and rules within a period of two months from the date of receipt of a certified copy of this order. If she does not cooperate in the vigilance proceedings then the respondents can proceed in the matter according to law. The prayer of the applicant for sending her on

training may be considered subsequently. If the decision goes against the applicant, she would be at liberty to challenge the same otherwise, she may be deputed on training, as per the Rules.

6. Needless to say that we have not expressed any opinion on the merits of the case.

*Uday Kumar Varma*

**(UDAY KUMAR VARMA)**  
**MEMBER (A)**

*Sanjeev Kaushik*

**(SANJEEV KAUSHIK)**  
**MEMBER (J)**

**Dated: 03.03.2015**

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