

**Central Administrative Tribunal  
Principal Bench**

**OA No.1255/2017**

New Delhi, this the 18<sup>th</sup> day of April, 2017

**Hon'ble Mr. Justice Permod Kohli, Chairman  
Hon'ble Mrs. P. Gopinath, Member (A)**

Col. (Retd.) Dr. Saroj Kumar Ojha,  
S/o Shri Parvesh Nath Ojha,  
Aged 57 years,  
Joint Secretary,  
Dental Council of India,  
R/o A-73, Krishna Residency,  
Sec-18A, Plot No.17,  
Dwarka,  
Delhi-110078.

...Applicant

(By Advocate : Shri Rajeev Sharma )

**Versus**

1. Union of India through,  
Its Secretary,  
Department of Health & Family Welfare  
(Dental Education),  
Ministry of Health & Family Welfare,  
Nirman Bhawan,  
New Delhi-110001.
2. President,  
Dental Council of India,  
Aiwan-E-Galib Marg,  
Kotla Road,  
New Delhi-110002.
3. The Dental Council of India,  
Through its Secretary,  
Aiwan-E-Galib Marg,  
Kotla Road,  
New Delhi-110002.

...Respondents

**ORDER (ORAL)****Mr. Justice Permod Kohli, Chairman :-**

This petition is directed primarily against the Show Cause Notice issued by the disciplinary authority serving the copy of the enquiry report upon the applicant for his response under Rule 15(2). It is stated that the disciplinary authority is competent to do so. The learned counsel for applicant submits that the Notice has been issued by the President of the Dental Council whereas the Dental Council is the competent authority.

2. At this stage, it is not appropriate for us to formulate any opinion on this question. The applicant is at liberty to respond to the enquiry report according to the rules and law, also indicating the status of the competent authority. At this stage it is not possible to interfere.

3. In this view of the matter, learned counsel for applicant seeks to withdraw the OA with liberty to approach the Tribunal in the event, so required.

4 At this stage, learned counsel submits that today is the last date for filing response to the Show Cause Notice. He seeks extension of time for filing response to the notice dated 02.04.2017.

Keeping in view the submissions made, time for making response is extended by one week. The competent authority shall consider the response before passing any order. No costs.

( Mrs. P. Gopinath )  
Member (A)

( Justice Permod Kohli )  
Chairman

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