



CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

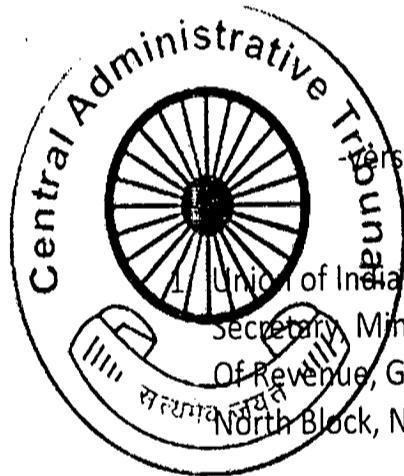
No. OA. 350/833/2018

Date of Order: 23.07.2018

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Dr. Nandita Chatterjee, Administrative Member

Shri Ajay Kumar Gond, son of late Kunj Bihari Gond, aged about 50 years, residing at 143, P.K. Guha Road, Dum Dum Cantonment, Kolkata- 700028 and at present suspended from the post of Head Havaldar in the office of Commissioner of Customs (Administration & Airport), 15/1, Strand Road, Kolkata- 700001;

.....Applicant.



2. The Chairman, Central Board of Excise & Customs, Government of India, Ministry of Defence, Ministry of Finance, Department of Revenue, Government Of India, North Block, New Delhi- 110001;

3. The Principal Commissioner of Customs (Administration & Airport), Custom House, 15/1 Strand Road, Kolkata- 700001;

4. The Commissioner of Customs (Administration & Airport), Custom House, 15/1, Strand Road, Kolkata- 700001;

5. The Additional Commissioner of Customs (Administration & Airport),

Custom House, 15/1 Strand Road,
Kolkata- 700001;

6. The Joint Commissioner of Customs (Administration & Airport), Custom House, 15/1 Strand Road, Kolkata- 700001;
7. The Deputy Commissioner of Customs (Vigilance), Custom House, 15/1 Strand Road, Kolkata- 700001;
8. The Commissioner of Customs (Preventive), West Bengal, Custom House, 15/1 Strand Road, Kolkata- 700001;
9. The Directorate of Revenue Intelligence, Kolkata Zonal Unit, 8, HO Chi Minh Sarani, Kolkata- 700001;

.....Respondents.



For the Applicant

: Mr. P. G. Das, Counsel
Ms. T. Malty, Counsel
मध्यम ज्येष्ठ

For the Respondents

: Mr. A. Roy, Counsel
Ms. A. Rajyashree, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, Judicial Member:

Heard both.

2. Ld. Counsel for applicant at the hearing, sought for liberty to withdraw the present OA in order to prefer a representation before the respondent authorities to seek stay of inquiry proceeding pending criminal case since he does not want to disclose his defence prior to conclusion of the criminal proceeding.

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3. Since no representation to the effect has been preferred before the authorities

till date, the OA is being defective on that score, is sought to be withdrawn.

4. Accordingly, the OA is disposed of as withdrawn with the aforesaid liberty to

prefer representation.

5. In the event the applicant prefers a representation before the Disciplinary

Authority within a period of one week from the date of receipt of a copy of this

order and after receipt of such, the disciplinary authority shall consider it in the

light of the decision of M/s. Stanzen Toyotetsu India Pvt. Ltd. Vs. Girish V. & Ors.

in SLP (C) No. 30371-30376 of 2012 and pass a reasoned and speaking order

within 4 weeks thereafter.

6. In case the inquiry has not yet started, it is expected that no final order shall be

passed during such time.

(Dr. Nandita Chatterjee)
Member (A)

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(Bidisha Banerjee)
Member (J)

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