

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BENGALURU**

ORIGINAL APPLICATION NO.170/000639/2017

DATED THIS THE 16TH DAY OF JANUARY, 2019

**HON'BLE DR.K.B.SURESH
HON'BLE SHRI C.V. SANKAR**

**...MEMBER(J)
...MEMBER(A)**

H.N. Nagaraju,
Aged about 67 years,
S/o Late Shri Nagendrappa,
Director (T) Retd.,
R/A No. 334/A, 9th Cross,
1st Stage, 6th Phase,
Rajajinagar Industrial Town Post,
West of Chord Road,
Bangalore-560 044.

..Applicant.

(By Advocate Shri B.S. Venkatesh Kumar.)

Vs.

Union of India
Rep. by the Secretary to Government,
Ministry of Textiles,
Udyog Bhavan,
New Delhi – 110 011.

...Respondent

(By Standing Counsel Shri V.N. Holla for Respondent)

ORDER (ORAL)

HON'BLE DR.K.B.SURESH ...MEMBER(J)

Heard. This is a matter in which the learned counsel for the applicant assails that the charges are absurd. He has come very late. Had he come at that appropriate time, before its conclusion, we could have examined the matter. Now on the similar matter and similar matrix, matters are pending in Criminal Trial

Court. Therefore, it will be improper to interfere at this stage. But still we will give a conditional order to the applicant that, if he is acquitted in the criminal trial, all the benefits which could have naturally come to him along with 10% interest will be made available to him within one month of such an acquittal. More than this we are not inclined to grant anything.

2. OA therefore disposed off as above. No costs.

(C.V. SANKAR)
MEMBER(A)

(DR.K.B.SURESH)
MEMBER(J)

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Annexures referred to by the Applicant in OA No.170/00639/2017

1. Annexure A1 : Copy of charge memorandum dated 29.1.2010.
2. Annexure A2 : Copy of letter dated 13.2.2010 denying the charges.
3. Annexure A3 : Copy of order dated 19.4.2010 appointing IO.
4. Annexure A4 : Copy of order dated 19.4.2010 appointing PO.
5. Annexure A5 : Copy of order dated 11.10.2010 changing the IO.
6. Annexure A6 : Copy of letter dated 20.12.2012 enclosing the report of PO.
7. Annexure A7 : Copy of defence brief dated 24.1.2013.
8. Annexure A8 : Copy of letter dated 20.3.2013 forwarding the IOs report.
9. Annexure A9 : Copy submission of representation against IOs report.
10. Annexure A10 : Copy of representation dated 20.7.2016 after receipt of UPSC advice.
11. Annexure A11 : Copy of impugned penalty order dated 22.8.2017.
12. Annexure A12 : Copy of sale receipt dated 19.4.2005.
13. Annexure A13 : Copy of sale receipt dated 19.4.2005.
14. Annexure A14 : Copy of account extract dated 19.4.2005.

Annexures referred to in the MA No. 75/2017

15. Annexure A15 : Copy of letter dated 8.2.2018.

Annexures referred to by the respondents in the Reply

1. Annexure R1: Copy of letter dated 24.10.2008 issued by Dy. INSPY. GENL. Of Police.
2. Annexure R2 : Copy of letter dated 11.5.2009 issued by Director (Vig), M/o Textiles, New Delhi.
