

**Central Administrative Tribunal
Madras Bench**

OA 310/01453/2017

Dated Monday the 19th day of November Two Thousand Eighteen

P R E S E N T

**Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr. P. Madhavan, Member (J)**

M. Bremkumar
No. 43, Nagooran Thottam
Veerampattinam
Puducherry.

... Applicant

By Advocate **M/s Sreethi Law Firm**

Vs.

1. The Commandant
Indian Reserve Battalion
Puducherry – 605 001.

2. The Deputy Commandant (HQ)
Indian Reserve Battalion
Puducherry.

.. Respondents

By Advocate **Mr. R. Syed Mustafa**

ORAL ORDER

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

Heard. The applicant has filed this OA seeking the following reliefs:

“i. To call for the records pertaining to the memorandum dated 22.08.2017 issued by the second respondent and quash the same as illegal and void and further to direct the respondents to supply copy of the documents referred in Annexure-III of the charge memo dated 13.07.2017 so as to enable the applicant to give a suitable explanation to the article of charges.

ii. grant such further or other relief or reliefs”

2. Learned counsel for the applicant would submit that the applicant had been issued with Annexure A2 charge memo dated 13.07.2017 alleging misconduct wherein a number of documents were listed as documentary evidence against him. The applicant wished to reply to the charge memo with a view to persuading the respondents not to proceed with the enquiry. For this purpose, the applicant required copies of the documents which had been denied to him by Annexure A4 order dated 22.08.2017. Aggrieved by the said order the applicant has filed this OA.

3. It is submitted that the relevant DoPT instructions allow the copies of documents to be provided to the charged official even at the stage of charge memorandum and before appointment of enquiry officer in the interest of speedy decision in such matters.

4. Mr. R. Syed Mustafa, Learned counsel for the respondents would submit that the respondents are willing to provide the copies of the documents sought and the matter may be disposed of accordingly.

5. In view of the submission, the OA is disposed of with a direction to the respondents to provide copies of the documents listed as evidence against the applicant in the charge memorandum and which had been sought by the applicant so as to enable him to submit his reply.

6. OA is disposed of. Accordingly, the interim relief of status quo granted in the matter on 11.09.2017 stands vacated.

(P. Madhavan)
Member (J)

19.11.2018

(R. Ramanujam)
Member(A)

AS