

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.243/2019

This the 24th day of July, 2019

**Coram : Hon'ble Shri Pradeep Kumar, Administrative Member
Hon'ble Shri M.C.Verma, Judicial Member**

Ladham S/o. Shri Prabhudas Tulsani
Aged : 63 years,
Residing at : L/5/54, Navnirmannagar,
Pragatinagar, Naranpura,
Ahmedabad 380 013. Applicant

(By Advocate : Shri Saurabh J. Mehta)

VERSUS

1. Union of India,
Notice to be served through
The Director
Office of Direct, FC, A/cs/IV/ESIC
Ministry of Labour & Employment
Government of India
CIG Marg, New Delhi 110 001.

2. Regional Director
Office of RD ESIC
Ministry of Labour & Employment

Government of India,
Ashram Road, Ahmedabad 380 009

3. The Assistant Director
Office of RD ESIC
Ministry of Labour & Employment
Government of India,
Ashram Road, Ahmedabad 380 009

O R D E R – ORAL

Per : Hon'ble Shri Pradeep Kumar, Member (A)

1.0 In the instant case, a charge sheet was issued to the applicant. Inquiry has since been completed. The applicant did not participate in the said inquiry and pleaded before respondents that matter is *sub judice* in CAT in OA No.725/2016, and he will appear after decision by CAT. It is, however, noted that there was no order by CAT or leave granted to applicant in OA No.725/2016, not to participate in the inquiry. This inquiry has since been completed ex-parte on 11.6.2018 and charges proved. A copy of the same has also been given to the applicant to submit his defence. The applicant has not submitted his defence so far.

2.0 At the Bar, counsel for applicant, on instruction from his client who was present in court, mentioned that no punishment order has been passed so far. He requested that his defence, which will be submitted within 10 days, may be taken into account by the Disciplinary Authority, before passing any punishment order.

3.0 Matter has been heard. OA stands disposed at admission stage itself, without going into merits, with directions to respondents that in case, the Disciplinary Authority has not passed any punishment order so far i.e. till this order is being passed by the Tribunal, the Disciplinary Authority shall take into account his defence, if it is submitted to the respondents, in their clear acknowledgement and within a period of next ten days from today. No costs.

(M.C.Verma)
Member (J)

(Pradeep Kumar)
Member (A)

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