

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
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OA. 350/000721/2015

Date of Order 13.01.2016.

Present :Hon'ble Ms. Bidisha Banerjee, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member

Anil Bhaskar
Vs.
Central Excise

For the Applicant : Mr. PC Das, Counsel

For the Respondents : Ms. P. Goswami, Counsel

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:-

Heard both.

2. On 27.11.2015 the following order was passed :

"5. In the reply filed in OA the department referred to the enquiry report of police dated 7.11.2014 and in such a case if the department is in possession of all or any of those documents the same should be handed over to him immediately, if available to the applicant on receipt of a copy of this order and within five days from the date of furnishing of such copy, he should file a reply to the enquiry report dated 9.11.2015 and thereafter the authority is competent to proceed further as per law."

3. It is submitted by the learned counsel for respondents that a copy of the enquiry report has been furnished to the applicant in terms of the aforesaid direction.

4. Copy of the enquiry report is taken on record.

5. Learned counsel for the applicant seeks liberty to file reply to the same as per the direction of the Hon'ble Tribunal on 27.11.2015.

6. Accordingly we direct the applicant to furnish reply to the said enquiry report within 15 days from today.

7. The respondents shall pass an appropriate final order in the proceeding only after considering reply to the enquiry report furnished by the applicant.

8. Applicant shall be at liberty to act in accordance with law if he is otherwise aggrieved with the final order including preferring an appeal.

9. It is made clear that we have not gone into the merits of charge memo and proceedings. All points are kept open for consideration by the respondent authorities.

10. OA is accordingly disposed of. No costs.

(Jaya Das Gupta)
Member (A)

(Bidisha Banerjee)
Member (J)

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