

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A. No.901 of 2003

New Delhi, this the 7th day of April 2003

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE SHRI S.K. MALHOTRA, MEMBER (A)

Tribhuwan Singh  
S/o Late Shri Jang Bahadur Singh  
aged about 42 years,  
R/o P-3/364-65, Sultan Puri,  
New Delhi-41.

....Applicant

(By Advocate : Ms. S. Janani)

Versus

1. Defence Secretary,  
Ministry of Defence,  
New Delhi.
2. Director General of Ordinance Factory  
MGO's Branch, Army Headquarter,  
D.H.Q., P.O. New Delhi-110011.
3. Commandant, C.V.D.,  
C.V.D. Delhi Cantt., Delhi-10.
4. Administrative Officer,  
CVD, Delhi Cantt., Delhi-10.
5. Personal Officer,  
CVD, Delhi Cantt., Delhi-10.
6. Inquiry Officer,  
CVD, Delhi Cantt., Delhi-10.

....Respondents

ORDER (ORAL)

BY SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN :

The services of the applicant have been terminated on 29.3.1990. He has filed an application being OA No.1166/92 and in pursuance of the directions of this Tribunal dated 25.7.1997 in that OA, the applicant had been reinstated. A fresh article of charge has been served that the applicant had involved himself gainfully in trade/business in violation of Rule 15 of of the CCS (Conduct) Rules, 1964.

2. The applicant contends that he has applied for change of Enquiry Officer and appeal is already



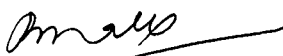
(2)


pending. Despite that, the Enquiry Officer had decided the matter ex-parte.

3. By virtue of the present application, applicant seeks quashing of the charge sheet dated 8.5.2002.

4. During the course of the submissions, learned counsel for the applicant had told us about certain facts which pertain to the merits of the matter, as yet no final order has been passed. We are not expressing in opinion on the merits of the matter regarding the same.

5. At this stage, since the charge sheet had been served and Enquiry Officer had proceeded further in a long way, we do not deem it necessary to quash the said charge sheet. It would be appropriate for the applicant to raise all the legal and factual pleas available to him, if and when any adverse order has been passed. OA is dismissed in limine.

  
(S.K. Mathotra)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

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