

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1317/2003

This the 15th day of March, 2004

~~

HON'BLE SH. KULDIP SINGH, MEMBER (J)
HON'BLE SH. S.A.SINGH. MEMBER (A)

Babul Nath Maurya
S/o Devaraj Maurya
R/o G.1/1033, Sarojini Nagar
New Delhi
Now in Jail No.3, Tihar Jail.

(By Advocate: Sh. Naveen R.Nath)

Versus

1. The Director (Vig&PG)
Government of India
Ministry of Defence
Naval Head Quarters
Sena Bhavan. New Delhi-1.
2. The Director
Directorate of Civilian Personal Service
Naval Head Quarters
Sena Bhavan.
New Delhi-1.

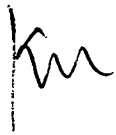
(By Advocate: Sh. S.K.Gupta proxy for
Sh. A.K.Bhardwaj)

O R D E R (ORAL)

By Sh. Kuldip Singh. Member (J)

Heard.


2. Applicant in this OA has challenged order dated 28.3.2003 whereby the services of the applicant have been terminated without holding an enquiry under Article 30 sub Clause (1) of the Constitution of India as the President is satisfied that it would not be expedient to hold the enquiry in the interest of the security of the state. Counsel for applicant submits that applicant was apprehended in case of Official Secrets Act which is a subject matter of criminal proceedings which is under trial in the court of law. Counsel for applicant submits that since parallel proceedings are going on criminal side as well as departmental allegation which are on the same




subject and same facts and if applicant is acquitted by the Trial Court. then applicant has all the likelihood to be reinstated.

3. In these circumstances, he would like to withdraw the OA seeking liberty that he may approach the Court if he is acquitted by Trial Court in accordance with law.

4. We allow the applicant to withdraw the OA. He may approach the Court again in case he is acquitted by the Trial Court in accordance with law.



(S.A. SINGH)
Member (A)



(KULDIP SINGH)
Member (J)

'sd'