

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1555/2003

(RC)

New Delhi, this the 2nd day of December, 2003

Hon'ble Sh. Shanker Raju, Member (J)
Hon'ble Sh. Sarweshwar Jha, Member (A)

Sudhanshu Shekhar Roy
S/o Sh. S.K.Roy
R/o 613, Hawa Singh Block
Khel Gaon, New Delhi.

...Applicant

(By Advocate Dr. S.P.Sharma)

V E R S U S

1. Union of India through
Secretary, Ministry of
Youth Affairs & Sports
Shastri Bhawan, New Delhi.

2. The Director General
Sports Authority of India
J.N.Stadium, New Delhi.

3. Ms. Punam Pandey
Commissioner for Departmental Enquiries
and Inquiring Authority, CVC
Satarkata Bhawan, (Room No.304)
Near Vikas Sadan, INA, New Delhi.

...Respondents

(By Advocate Sh. Arun Bhardwaj)

O R D E R (ORAL)

Shri Shanker Raju,

It is not disputed that the allegations on which disciplinary proceedings have been initiated founded on the same set of facts on which the applicant is facing criminal prosecution.

2. Keeping in view the decision of the Apex Court in **Capt. M.Paul Anthony v. Bharat Gold Mines & Anr.** (JT 1999 (2) SC 456), departmental enquiry is ordered to be kept in abeyance after the Prosecution Witnesses give their examination in chief thereafter cross-examination shall be deferred and the applicant shall not be compelled to cross examine the witnesses. The enquiry shall remain in abeyance till the

examination of prosecution witnesses in the trial court. However, if the trial is unduly prolonged, it shall be open to the respondents to apply for review.

3. OA is accordingly disposed of.



(SARWESHWAR JHA)
MEMBER (A)



(SHANKER RAJU)
MEMBER (J)

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