

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No.269/2004
in
Original Application No.1270/2003

New Delhi, this the 3rd day of **November**, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.A. Singh, Member (A)

Atul Kumar Garg
Executive Engineer (Civil) CPWD
S/o Late Sh. K.C.Garg
R/o 1015 Narmada Complex
J.N.U., New Delhi - 67.

... Applicant

Versus

1. Union of India through
The Secretary to the Govt. of India
M/o Urban Development and Property Alleviation
Nirman Bhawan
New Delhi - 11.
 2. Director General (Works)
Central Public Works Department
Ministry of Urban Development and Property
Alleviation
Nirman Bhawan
New Delhi - 11.
 3. Central Vigilance Commission
Through its Director, Satkarta Bhawan
Block A, G.P.O. Complex, I.N.A.
New Delhi.
 4. Union Public Service Commission
Through its Secretary, Dholpur House
Shahjahan Road
New Delhi - 11.
- ... Respondents

O R D E R (By Circulation)

By Mr. Justice V.S. Aggarwal:


Applicant (Atul Kumar Garg) had filed OA 1270/2003. He was seeking quashing of the order passed by the disciplinary authority as well as the report of the Inquiry Officer. His plea was that the disciplinary proceedings could not be initiated. He could not be held responsible for the alleged dereliction of duty and that




there was an inordinate delay in initiation of the departmental proceedings. This Tribunal had dismissed the Original Application on 06.08.2004.

2. The applicant seeks review of the said order. He reiterates that serious prejudice has been caused because of the delayed proceedings. This question had already been considered and negated. We do not find any error apparent on the face of the record to again consider this fact. It has further been pleaded that as per the quoted facts, in the order no reference has been made to the effect that the applicant had been posted there in October, 1989 and thus he had no role to play for the act committed prior to his posting. Even this plea has to be stated to be rejected. This is for the reason that the charge against the applicant was that there was indifference and slackness on his part, which resulted in delay in the investigation. In other words, this pertained to the fact that the applicant had assumed the office.

3. Perusal of the application reveals that there is nothing new for reconsideration. Resultantly, we find no reason to recall the order. The Review Application fails and is dismissed in circulation.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

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