

(1992) 10 SC CK 0072

In the Supreme Court Of India

Case No : Civil Appeal No. 4523 of 1992

Union of India (UOI) and Others

APPELLANT

Vs

A.K. Chatterjee

RESPONDENT

Date of Decision : 19-10-1992

Acts Referred:

Citation : (1993) 3 SCC 151

Hon'ble Judges : P. B. Sawant, J;G. N. Ray, J

Bench : Division Bench

Final Decision : Allowed

Judgement

1. Delay condoned. Special leave granted.
2. The tribunal allowed the application of respondent-employee only on the ground that the inquiry report was not furnished to him. For this purpose, the tribunal relied upon the decision of this court in Union of India v. Mohd. Ramzan Khan . Unfortunately, the tribunal has not noticed the operative part of the judgment in the above case where it is made clear that the law laid down there will apply prospectively. Admittedly, in the present case, the order of dismissal was passed prior to the said decision. Hence the impugned decision of the tribunal is set aside and the matter is remanded to the tribunal for decision on merits on other points.
3. The appeal is allowed accordingly. There will be no order as to costs.