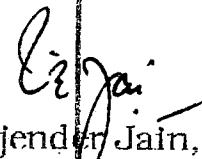
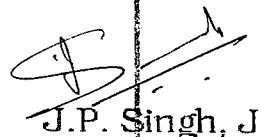


Sr. No.	Date	Orders
		<p>% 11-02-2005.</p> <p>Present: Mr. Rajinder Nischal for the petitioner. Mr. Rajesh Tyagi for the respondent.</p> <p>+ <u>WP(C) No.2559/2005 & CM No.1841/2005.</u></p> <p>*</p> <p>We have perused the order passed by the Central Administrative Tribunal. Learned counsel for the petitioner has contended that the additional documents, which were taken into consideration by the disciplinary authority for passing of the final order, were not the new documents and, therefore, the respondent was not prejudiced in any manner. We have perused the order and it is admitted case that after the submission of the inquiry report by the inquiry officer and after the representation having been made by the respondent against the report of the inquiry officer, the disciplinary authority considered additional documents which were not annexed with the charge-sheet and even in the final order, the disciplinary authority had mentioned the same. Nowhere it has been explained as to what was the nature of these additional documents, therefore, we would not like to interfere with the finding of facts arrived at by the</p> <p>WP(C) No.2559/2005</p>

Sr. No.	Date	Orders	Order	Order
		<p>Tribunal regarding additional documents, the contents whereof were neither disclosed to the CAT nor were brought to the notice of the respondent. In our view, adequate opportunity to defend his case based on the additional documents was not provided to the respondent. The procedure adopted by the petitioner offends principle of natural justice.</p> <p>No merits. The writ petition is dismissed.</p>		
		<p>February 11, 2005. skr</p>	<p> Vijender Jain, J.</p> <p> J.P. Singh, J.</p>	
		<p>WP(C) No.2559/2005</p>		<p>Page 2 of 2</p>