

MAT 511 of 2020
with
CAN 1 of 2020 (old CAN 5075 of 2020)
with
CAN 2 of 2020 (old CAN 5076 of 2020)
(Ladukishore Dash Vs. Union of India & Ors.)
(via video conferencing)

Mr. Achin Kumar Majumder
Mr. Pratik Majumder

**....For the appellant/writ
petitioner**

Mr. Satyendra Agrawal

....For the respondents

As the issue involved is very short, we propose to dispose of this appeal.

We are of the view that the impugned judgment and order of the learned single Judge dated 30th July, 2020 does not adequately answer the main ground of challenge in the writ petition that the disciplinary authority had no power to issue the charge-sheet.

For that reason, the impugned order dated 30th July, 2020 is set aside. We remand the writ to the Court below to be heard at the motion stage considering all the contentions of the parties, including the ground raised by learned counsel for the respondents with regard to the maintainability of the writ.

The appeal and the connected applications are disposed of.

(I. P. Mukerji, J.)

(Md. Nizamuddin, J.)