

Ct.No.1 D/L 09.12.2025
Saikat 30
Mukherjee

WP.CT/226/2025
GOPAL CHANDRA DAS
VS.
UNION OF INDIA NAD ORS.

Mr. Bharat Bhushan, Adv.
Mr. Atindranath Misra, Adv.

...For the Petitioner

Ms. Chandri Alam, Adv.
Ms. Anamika Pandey, Adv.

...For the Respondents

Per, **Sujoy Paul, ACJ.**

1. Parties are represented through their respective counsel.
2. This petition assails an interlocutory order dated 25th September, 2025, passed by Central Administrative Tribunal whereby prayer of present petitioner for staying the second Charge Memorandum was declined by the tribunal by holding that in view of para-7 of the order passed in previous round O.A. No.350/1792/2022 dated 28th April, 2025, the initiation of enquiry is permissible. More so, when said order was not called in question in any proceeding.
3. Criticising this order, the only submission of learned counsel for petitioner is that the petitioner has suffered the entire punishment imposed by order dated 23rd March, 2022, and those benefits have not been returned. Thus, second charge-sheet is bad in law.
4. Learned counsel for respondent supported the order of tribunal.

5. In our opinion, since liberty was reserved to hold the disciplinary proceeding in the previous round in O.A. No.350/1792/2022, *prima facie* no fault can be found in issuing the fresh charge-sheet. The punishment order dated 23rd March, 2022, has already been set aside. Thus, petitioner will be at liberty to file appropriate application in his pending matter before tribunal for refund of the amount arising out of punishment order dated 23rd March, 2022, which has already been set aside.
6. Apart from this liberty, no relief is due in this petition and accordingly, petition is **disposed of**.
7. No order as to costs.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties, on priority basis, upon compliance of all necessary formalities.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)