

Central Administrative Tribunal, Principal Bench

Original Application No.614 of 2002

New Delhi, this the 27th day of August, 2002

Hon'ble Mr.Justice V.S.Agarwal,Chairman
Hon'ble Mr.V.K.Majotra,Member(A)

Shri Raj Singh Yadav
S/o late Shri Bhai Ram
R/o H.No.201, Gali No.4
Hari Nagar, Near New Anaz Mandi,
Gurgaon-120001

.... Applicant

(By Advocate: Shri D.R.Gupta)

Versus

1.Commissioner
Kendriya Vidyalaya Sangathan
18, Institutional Area,
Shaheed Jit Singh Marg,
New Delhi-16

2.The Joint Commissioner(Admn.)
Vigilance Section,
18, Institutional Area,
Shaheed Jit Singh Marg,
New Delhi-16

.... Respondents

(By Advocate: Shri S.Rajappa)

O R D E R (ORAL)

By Justice V.S.Agarwal,Chairman

Though the learned counsel for the applicant has drawn our attention to certain facts pertaining to the earlier enquiry and also about inordinate delay in initiating the proceedings, but at this stage we intend not to express any opinion in that regard.

2. The reasons are obvious because it is not in dispute at either end that the applicant has already submitted his reply to the Articles of Charge framed against him. Once the articles of charge as such have been duly answered, it would be appropriate and also in the fitness of things that the enquiry is held and an early decision is taken in this regard. Needless to state that on behalf of the respondents, the

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learned counsel stated that till such time the enquiry is not completed, they shall not effect any promotion which may prejudicially affect the applicant.

3. Keeping in view the aforesaid, it becomes unnecessary for us to ponder further in the controversy. The petition is disposed of with the following directions:

- (a) The enquiry referred to above shall be completed within two months from the date of receipt of a copy of this order. Needless to emphasise that applicant will co-operate and no unnecessary adjournments will be taken;
- (b) The petitioner would be at liberty to take all the legal and factual pleas available in law including inordinate delay in initiating the enquiry and other pleas that have been in the present petition; and
- (c) Till such time the enquiry is not completed, promotion to the post of Hindi Officer shall not be effected.

4. It is made clear that nothing stated herein should be taken as an expression on the merits of the case.

V.K. Majotra
(V.K. Majotra)

Member(A)

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(V.S. Aggarwal)
Chairman