

**Central Administrative Tribunal
Hyderabad Bench**

OA No.020/1049/2019



Hyderabad, this the 12th day of March, 2020

Hon'ble Mr. B. V. Sudhakar, Member (A)

D.M.Kurade
S/o Late Manaji Kurade
Age 57 years, Occ: Sr. Scientific Assistant, Group B
O/o CN No.0008, Naval Dockyard, Visakhapatnam. .. Applicant

(By Advocate: Mrs. Anita Swain)

Vs.

1. The Union of India Rep by its Secretary
Ministry of Defence, South Block, New Delhi-110011.
2. The Chief of Naval Staff
(For Directorate of Civilian Personnel)
Integrated Headquarters, Ministry of Defence (Navy)
D-II Wing, Sena Bhavan, New Delhi – 110 011.
3. Flag Officer Commanding in Chief (for CSO (P&A))
Headquarter, Eastern Naval Command,
Visakhapatnam – 530 014.
4. The Admiral Superintendent
Naval Dockyard,
Visakhapatnam. ... Respondents

(By Advocate: Shri V. Venu Madhava Swamy, Addl. CGSC)

O R D E R (Oral)

2. The OA is filed challenging the action of the 4th Respondent vide charge memo dated 17.05.2016 without valid proof and also having been issued belatedly.

3. Brief facts of the case are that the applicant, who is working as Senior Scientific Assistant (SSA), was issued a charge memo on 17.05.2016 by the 4th Respondent for illegal gratification, misuse of official position and for exhibiting negative attitude towards official duties. Respondents, on denial of the charges by the applicant, have instituted a departmental inquiry. The inquiry is completed as per the version of the applicant and the respondents have not acted on the inquiry report till date. The OA is filed on 15.11.2019. Reply has not been filed by the respondents. However, the learned counsel for the respondents has, on written instructions received from the respondents, narrated the instances for which the applicant was proceeded on disciplinary grounds. The inquiry officer has submitted the inquiry report holding that the charges made against the applicant are proved. The matter is now pending with the HQENC/IHQ of the respondents organization.

4. Learned counsel for the applicant has submitted that in view of the disciplinary case pending against the applicant, his future promotions are being adversely effected and hence prayed that the respondents be



directed to complete the disciplinary action within a period of three months since the inquiry report has already been submitted, so that he can pursue remedies, if required, as permitted under the rules and law.

The submission made by the learned counsel for the applicant is fair and after hearing the learned counsel for the respondents, it was felt that it would be fair and appropriate to direct the respondents to finalise the disciplinary action against the applicant within the period of three months from the date of receipt of a copy of this order by issuing a reasoned and speaking order. Respondents accordingly directed to comply.

5. With the above directions, the OA is disposed of. No order as to costs.

(B. V. Sudhakar)
Member (A)

nsn

