



**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**

**CP No- 381/2019 in  
OA No-2780/2017  
MA No-2810/2019**

**New Delhi, this the 17<sup>th</sup> day of January, 2020**

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mr. A.K. Bishnoi, Member (A)**

Dr. Kailash Narayan Gahlot  
S/o late Krishan Lal Gahlot  
Age 58 years, Group A  
Addl. Chief Medical Superintendent  
Under Chief Medical Superintendent  
Western Railway, Divisional Railway Hospital  
Ratlam (MP)  
R/o 372/8, Old Railway Colony  
Ratlam (MP), PIN: 457001. .... Petitioner

(through Ms. Meenu Mainee)

Versus

1. Sh. S.K. Mishra  
Secretary  
Ministry of Railways  
Rail Bhawan, New Delhi.
2. Shri Anil Kumar Gupta  
General Manager  
Western Railway  
HQ Office, GLO Building, Churchgate  
Mumbai – 400020. .... Respondents

(through Sh. R.V. Sinha with Sh. A.S. Singh, Sh. Amit Sinha and Sh. Krishna Kant Sharma)



## ORDER(ORAL)

### **Hon'ble Mr. Justice L. Narasimha Reddy, Chairman**

The applicant filed OA No. 2780/2017, challenging the charge memo issued to him. The OA was disposed of with a direction to the respondents, to conclude the disciplinary proceedings within a period of four months. This contempt case is filed alleging that the respondents did not comply with the order.

2. On behalf of the respondents, counter affidavit is filed. It is stated that the direction issued in the OA, was to the effect that the respondents shall conclude the disciplinary proceedings within four months, provided the applicant extends cooperation and does not cause obstruction in any way; and at many stages, the applicant went on causing obstructions.

3. We heard Ms. Meenu Mainee, learned counsel for the applicant and Sh. R.V. Sinha and Sh. Krishna Kant Sharma, learned counsel for the respondents.

4. It is no doubt true, that this Tribunal stipulated four months period for conclusion of the disciplinary proceedings. At the same time, it was mentioned that the applicant shall not create obstruction and shall extend cooperation. In the counter affidavit, certain instances of the applicant not extending cooperation, are mentioned. Learned counsel for the applicant submits that the so called instances are long after the expiry of the period, stipulated for conclusion of the inquiry.



5. The necessity for us to deal with the matter in detail is obviated on account of the fact that the applicant has since compulsorily retired by invoking Rule 56 (j) of the Fundamental Rules. In that view of the matter, the proceedings, can be concluded, without any stipulation of time therefor.

6. The contempt case is closed. The miscellaneous application filed by the respondents for extension of time is also rejected, as infructuous.

**(A.K. Bishnoi)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/ns/