

- 7 -

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

...
OA No. 1280/98.

New Delhi, this the 23rd day of December, 1998

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P.BISWAS, MEMBER (A)

In the matter of:

Sh. Chander Bhan
Laboratory Assistant,
Govt. Composite (Model) Girls Sr. Sec. School,
Kedar Building,
Subzi Mandi,
Delhi-7
S/o Late Sh. Kehar Singh,
aged 47 years
R/o C/1/226, Chand Bagh,
Opposite Yamuna Vihar,
Delhi-53. Applicamt
(Applicant in person).

Vs.

1. Government of Delhi Service through
The Chief Secretary of Delhi,
5, Sham Nath Marg,
Delhi-110054.
2. Deputy Director of Education,
Distt. (North),
Lucknow Road,
Delhi-110054.
3. Principal Govt. Composite (Model)
Girls Sr. Sec. School,
Kedar Building,
Sabzi Mandi,
Delhi-110007. Respondents
(None)

ORDER (ORAL)

delivered by Hon'ble Shri T.N.Bhat, Member (J)

1. Applicant who is present in person states that he does not wish to file any rejoinder.
2. We have gone through the pleadings of the parties and the documents filed by them in support of their respective contentions.

by
23.12.98

[2]

3. The applicant in this OA seeks a direction to the respondents to finalise the disciplinary enquiry against him which was initiated long back and it is alleged by the applicant that this inaction on the part of the respondents is unreasonable and that this is a case of culpable and inordinate delay as the disciplinary proceedings initiated on 28.6.94 have still not been finalised.

4. The respondents in their counter do not dispute the correctness of the fact that the disciplinary proceedings have not been finalised even though the enquiry was initiated in the year 1994. It is however contended by the respondents that the applicant raised some frivolous objections in respect of the report of the enquiry officer. At the same time it is conceded by the respondents that the objections of the applicant to the enquiry report were accepted and the matter was sent back to the enquiry officer by the disciplinary authority in the month of April 1995. In these circumstances we find ourselves in agreement with the applicant that there has been inordinate and unjustifiable delay in finalisation of the disciplinary enquiry.

5. However, we deem it appropriate in the circumstances of the case to give time bound directions to the respondents to finalise the enquiry expeditiously.

6. In view of the above, we hereby partly allow the OA and direct the respondents to finalise the disciplinary enquiry against the applicant within a period of 3 months from the date of receipt of a copy of this

Myair

[3]

order. Needless to say that if the applicant feels aggrieved he shall be at liberty to assail the same by way of appropriate proceedings separately.

6. The OA is disposed of in terms of the above order. No costs.


(S.P. BISWAS)

Member (A)


(T.N. BHAT)
Member (J)

sd'