

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA-240/98

New Delhi this the 6th day of May, 1998.

Hon'ble Sh. T.N. Bhat, Member(J)
Hon'ble Sh. R.K. Ahooja, Member(A)

Sh. Bhola Ram,
S/o late Sh. Ghanpat Singh,
R/o X-212, Gali No.11, in
fron of Public School,
Brahm Puri, Delhi.

..... Applicant

(through Sh. J.M.L. Kaushik, advocate)

versus

1. Govt. of NCT of Delhi through
the Lt. Governor of Delhi,
Raj Niwas, Delhi.
2. The Chief Secretary, Delhi,
5, Sham Nath Marg,
Delhi-53.
3. Principal Secretary(Services) Delhi,
5, Sham Nath Marg,
Delhi-53.
4. Principal Secretary,
General Administrative Deptt.
5, Sham Nath Marg, Delhi-53.
5. The Director of Vigilance,
Govt. of NCT of Delhi,
Old Secretariat, Delhi.

..... Respondents

(through Sh. Vijay Pandita, advocate)

ORDER(ORAL)

Hon'ble Sh. T.N. Bhat, Member(J)

We have heard the learned counsel for the parties for final disposal of the O.A. at the admission stage itself with the consent of the learned counsel for the parties.

- 6.5.98*
2. The applicant was working as L.D.C. in the General Administration Department of N.C.T. of Delhi when a chargesheet was served upon him on 12.12.90. Despite a lapse of 8 years, the departmental

proceedings have not been concluded. Aggrieved by this fact, the applicant has come to the Tribunal seeking the following reliefs:-

"(i) That the respondents may be directed to complete the departmental enquiry U/R 14 of US(OA) Rules 1965 within 60 days of the receipt of the Order of the Hon'ble CAT and proceedings be abated on account of culpable and inordinate delay.

(ii) That the respondents may be directed to open the sealed cover and promote him w.e.f. the due date.

(iii) That the respondents may be directed to grant and release payment of E.B. w.e.f. the retrospective due date."

3. It appears to us that unless time bound directions are given to the respondents for concluding the departmental enquiry, it may take them much more time to complete it, which would result in further suffering to the applicant. We also agree with the learned counsel for the applicant that a period of 8 years for concluding such a departmental enquiry is too


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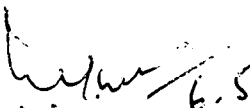
long. However, we are of the view that a further period of 4 months would be sufficient to enable the respondents to complete the enquiry and pass the final orders in the proceedings.

4. In view of the above, we dispose of the O.A. with a direction to respondents to finalise the departmental enquiry initiated by means of the chargesheet dated 12.12.90 within a period of 4 months from the date of receipt of a copy of this order and communicate the result thereof to the applicant. Needless to say that it shall be open to the applicant to assail the orders so passed if he feels aggrieved by it.

5. So far as the other reliefs claimed by the applicant are concerned, we are convinced that these matters can be taken care of after the proceedings are concluded and a final order is passed.

6. With the above ^{order} the O.A. is disposed of, leaving the parties to bear their own costs.


(R.K. Ahooja)
Member (A)

 6.5.98
(T.N. Bhat)
Member (J)