

(3)

Central Administrative Tribunal
Principal Bench

...

O.A. No. 1113/95

New Delhi this the 14th day of September, 1995

Hon'ble Shri K. Muthukumar, Member (A)
Hon'ble Shri P. Suryaprakasham, Member (J)

Shri O.P. Kasturia, aged about 57 years
s/o Late Shri Dev Raj Kasturia,
R/o 254, Sector 12, R.K. Furam,
New Delhi.

...Applicant

(By Shri Surinder Singh, Advocate)

Versus

Union of India through:

1. Secretary,
Ministry of Defence,
South Block,
D.H.Q.,
New Delhi- 110 011.
2. Air Officer, I/C Personnel,
Air Head Quarters, Vayu Bhawan,
New Delhi- 110 011.
3. Shri Chandy Andrews,
Commissioner for Departmental Inquiries,
Central Vigilance Commission,
Block No. 10, Jam Nagar House,
Akbar Road, New Delhi- 110 011.
4. Director,
CBI, ACB, Delhi
Block No. 4, 1st floor, CGO Complex,
Lodi Road, New Delhi- 110 003.

(By Shri M.K. Gupta, Advocate)

...Respondents

Order (Oral)

By Hon'ble Shri K. Muthukumar, Member (A):

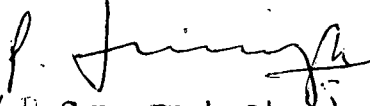
The applicant is a Civilian Gazetted Officer (Equipment) in the Indian Air Force. The respondents instituted disciplinary inquiry against the applicant by the order dated 25th November, 1992. The applicant is aggrieved that the respondents


are not completing the enquiry proceeding expeditiously although almost 5½ years have elapsed since the preliminary enquiry was started by the C.B.I. in January, 1990. The applicant is due to retire on 31.3.1996 and he has prayed in this O.A. that a suitable direction be issued to the respondents to complete the enquiry proceedings within a period of two months from the date of receipt of this order.

In the reply, respondents have stated that the enquiry proceeding is conducted by the Commissioner, Departmental Inquiries and the enquiry has infact commenced. Learned counsel for the respondents has stated that so far three hearings have taken place and the last one was held on 21.8.1995. The respondents have also stated that the Enquiry Officer has been requested to expedite the enquiry. It is further stated that the Charged Officer has not attended the enquiry on the last date of hearing but a medical certificate has been filed by the applicant only on 6th September, 1995.

It is seen from the record that the Charged Officer has collected the list of documents and hence, there is no difficulty in proceeding with the enquiry. Taking all the aspects of the matter, it will suffice, if we direct the respondents to complete the enquiry as early as possible taking into account the fact that the applicant who is Charged Officer is to retire by 31.3.1996. The applicant is also directed to co-operate in the enquiry fully.

In view of the above, the application is disposed of with the aforesaid direction, / with no order as to costs.


(P. Suryaprakashan)
Member (J.)


(K. Muthukumar)
Member (A)