

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI
OA 235/1997

New Delhi this the 27th day of September, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri V.K. Majotra, Member (A)

1. Sh. Roshan Lal Narang,
S/O Late Sh. Jai Chand
Narang, R/O 18/2-A Moti Nagar,
New Delhi.
2. Sh. Manish Sharma S/O Sh. Anand
Prakash Sharma R/O Flat No. 62,
Sanjay Enclave, Opposite GT Karnal
Depot, Delhi-33.
3. Sh. Harjeet Singh S/O Sh. S. Gurbax
Singh, R/O 1208, Gulabi Bagh,
Delhi Administration Flat.

.. Applicants

(None for the applicants)

Versus

1. Govt. of NCT of Delhi service through
Chief Secretary, Delhi, 5, Sham Nath
Marg, Delhi.
2. Commissioner, Food & Supplies and
Consumer Affairs, K-Block,
Vikas Bhawan, New Delhi.

.. Respondents

(By Advocate Sh. Rajinder Pandita)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

The main relief prayed for by the applicants in the present OA is for a direction to the respondents to set aside/quash the suspension order dated 16.5.1995. According to them, there has been an inordinate and unexplained delay in finalising the contemplated charge-sheet mentioned in the suspension order. Hence this O.A.

2. In the rejoinder filed by the applicants on 19.9.1997, they have again reiterated their plea that

they have been representing to the respondents regularly and also meeting personally with ~~the~~⁸ Respondent 2 for issue of the charge-sheet without prolonged delay, as their interests have been adversely affected by way of crossing ^{the} efficiency bar and promotion.

3. We have seen the reply filed by the respondents and have heard Shri Rajinder Pandita, learned counsel for the respondents. Learned counsel has submitted that ^{the} charge-sheet has been issued to applicant 1 only, and in the case of the other two applicants, he prays for further time to finalise the same as per the instructions he has received from the respondents.


4. We note that this OA has been filed as far back as 24.1.1997 and in the reply filed by the respondents on 11.9.97 they have, inter-alia, stated that they are in the process of Vigilance clearance which was being conducted against the applicants by the Anti-Corruption Branch, which had not been completed at that time. We find force in the plea taken by the applicants that there has been inordinate delay in completion of the investigation and ^{the} final decision which has to be taken by the competent authority in the office of respondents. Shri Rajinder Pandita, learned counsel has prayed that in the circumstances, further three months may be given to the respondents to take a final decision in the matter as to whether charge-sheet should be issued to the other two applicants under the provisions of law or not.


5. It is seen from the pleadings that the respondents (14)
have already revoked the suspension orders passed on 16.10.1996
and, therefore, the only main issue in the present O.A. is
with regard to the finalisation of the charge-sheet against
applicants 2 and 3.

6. In the above facts and circumstances of the case,
the OA is disposed of with the following directions:-

The respondents to take a final decision with
regard to the vigilance matter stated to be pending against
applicants 2 and 3, namely, whether to issue charge-sheet
or not within a period of two months from the date of receipt
of a copy of this order in accordance with Law. No costs.

7. Shri P.S. Mahendru, learned counsel for applicant 1
has appeared.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Member (J)

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