

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI;

OA-86/97

New Delhi this the 11th day of February, 1997.

Hon'ble Dr. Jose P. Verghese, Vice-Chairman(J)  
Hon'ble Sh. S.P. Biswas, Member(A)

Shri B.R. Sindhwani,  
S/o late Sh. Mool Chand Sindhwani,  
R/o 49/5A, East Azad Nagar,  
Delhi-51. .... Applicant

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

versus


Government of National Capital Territory of Delhi

1. Lt. Governor of Delhi,  
Raj Niwas, Delhi.
2. Chief Secretary,  
Delhi, 5, Sham Nath Marg.
3. Commissioner of Sales Tax,  
Bikri Kar Bhawan.
4. Director of Vigilance,  
Old. Sectt., Delhi. .... Respondents

ORDER(ORAL)

delivered by Hon'ble Dr. Jose P. Verghese; V.C.(J)

This application has been filed seeking a limited relief that the pending enquiry may be disposed of expeditiously. The applicant herein retired from service on 30.11.1994 and unfortunately a chargesheet was also served on the last date of his retirement and even after three years the enquiry has not been completed. He has been paid provisional pension but no other retiral benefits has been given to him due to the pendency of these proceedings. We are called upon to consider this limited prayer and we have issued notice to respondents on 14.1.97. Notice was duly served for the case to come up on 28.1.1997 on which date it was directed that since the matter is on short point and the applicant has retired since more than two years,



the application could be disposed of finally at the admission stage itself. Accordingly, the matter was adjourned till today.

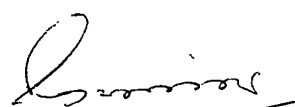
None appears on behalf of the respondents even today. In the absence of the respondents, we are constrained to finally dispose of the application for the reasons stated above.

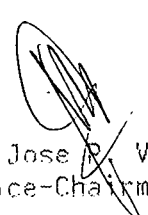
The respondents are directed to complete the pending enquiry proceedings arisen out of a chargesheet given on the date of his retirement i.e. 30.11.94 within a period of two months from today. In the event an order on the disciplinary proceedings is passed, the applicant may file an appeal and the appeal shall be disposed of in accordance with the rules.

In the event the disciplinary proceedings are not disposed of within the time limit granted by this court, the pending disciplinary proceedings shall be deemed to have been abated and the respondents shall pay all retiral benefits within a period of three months thereafter.

Respondents are at liberty to approach this Court for any modification of the order before the expiry of the time limit given. Such application for modification shall be accompanied by a report by the competent authority as to why a delay of more than two years have taken place to complete the enquiry proceedings against a retired employee.

With the above directions, the O.A. is disposed of finally.

  
(S.P. Biswas)  
Member(A)

  
(Dr. Jose P. Verghese)  
Vice-Chairman(J)

/vv/