

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 2418/1994
M.A. 151, 152/1996

New Delhi this the 6th day of March, 1996.

HON'BLE SHRI JUSTICE P.K.SHYAMSUNDAR, ACT. CHAIRMAN
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

B. O. V. Rao S/O B. C. Venkaiah,
R/O 246/7-A Railway Apartments,
Panchkuian Road,
New Delhi, and working as
Dy. C.S.T.E./Safety,
Northern Railway,
New Delhi.

... Applicant

(In person)

-Versus-

General Manager,
Northern Railway,
Baroda House,
New Delhi.

... Respondent

(By Shri R. L. Dhawan, Advocate)

O R D E R (ORAL)

Shri Justice P. K. Shyamsunder —

This case came up for admission today and after hearing the applicant who was present in person as also the learned counsel for the respondent, we propose to dispose of this application finally.


2. The case relates to issuance of a chargesheet against the applicant alleging certain misconducts. After the issuance of the chargesheet, nothing has transpired but the applicant has come to this Tribunal complaining ^{of} belated initiation of disciplinary action ^{since before} ~~that~~ has been done to harass him. He says the misconduct, if any, pertains to ^{seven} ~~seven~~ years preceding initiation of the inquiry. It seems to us this is not the stage at which we should embark upon an investigation as to the


13

tenability of the decision to initiate disciplinary action against the applicant. The fact that the disciplinary action followed some seven years after the alleged commission of misconduct is ordinarily not a ground for interference. No doubt, the applicant mentions that the disciplinary proceedings have been initiated with a view to hurt him.

3. Be that as it may, we think it appropriate to dispose of this application with a direction to the respondent to complete the disciplinary proceedings expeditiously. The disciplinary authority shall hold, conduct and conclude the inquiry within a period of six months from the date of receipt of a copy of this order. We, however, make it clear that completion of the inquiry within the aforesaid period of six months shall be subject to the applicant cooperating with the disciplinary authority.

4. With these directions, this application stands disposed of finally. No costs.


(K. Puthukumar)
Member(A)


(P. K. Shyamsundar)
Acting Chairman

/as/

① OA decided
on 6.3.96
② R.A. decision
13.5.96
Fresh OA sent by
extension of time
to respondent.