

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH

OA 468/94.

New Delhi, this the Ninth day of March, 1994.

SHRI J.P.SHARMA, MEMBER(J).
SHRI B.K.SINGH, MEMBER(A).

Shri K.C.Brahmachary,
S/o late Dr. K.K.Brahmachary,
E-815, Chittranjan Park, New Delhi.
(Through Shri B.T.Kaul, Advocate)

...Applicant

VERSUS

1. The Chief Secretary,
Government of National Capital Territory of Delhi,
5, Sham Nath Marg, Delhi-54.

2. The Deputy Commissioner (Vigilance),
Sales Tax Department,
Vikas Bhawan, New Delhi.

...Respondents

ORDER (O R A L)


SHRI J.P.SHARMA :

The applicant since retired from the post of Superintendent posted in Government Senior Secondary School, Janpura, New Delhi was served with a chargesheet only a few days before his superannuation. He superannuated on 31-10-93. The contention of the learned counsel for the applicant is that the chargesheet has been issued only to victimise and harass the applicant relating to a period when the applicant was A.S.T.O. and made certain assessment in the year 1983. The learned counsel also read out the re-assessment order prepared subsequently by another officer

on 14-10-86 to emphasise the fact that the imputation of misconduct as annexed to the article of charge is not any misconduct according to the rules. It is also argued that earlier also the respondents issued a chargesheet in 1987, and he inspite of the fact was exonerated by the inquiry officer but was punished by the disciplinary authority by withholding of two increments for two years with cumulative effect.

2. We have given a careful consideration to the arguments of the learned counsel but we are not inclined to interfere at this stage when the proceedings of the inquiry have already been commenced. Since the applicant has retired and he shall be ^{hard hit} ~~heard~~ if the proceedings of the inquiry are not concluded at the earliest by non-payment of other terminal benefits, so in the interest of justice and fair play, the respondents should conclude the inquiry as expeditiously as possible. This application is, therefore, disposed of accordingly with the liberty to the applicant to assail any final order which may be passed if he is still aggrieved, according to law. No costs.


(B.K.SINGH)
MEMBER (A)


(J.P.SHARMA)
MEMBER (J)

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