

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH**



**OA No-4176/2018  
MA No-1137/2020  
MA No-1138/2020**

**New Delhi, this the 22<sup>nd</sup> day of July, 2020**

**Hon'ble Sh. A.K. Bishnoi, Member(A)  
Hon'ble Sh. R.N. Singh, Member(J)**

Pooja Sharma, Age 33+ years  
 PA, Group B  
 D/o Dinesh Sharma  
 R/o-33/2-A, Double Storey  
 1<sup>st</sup> Floor, Ashok Nagar  
 New Delhi-110018. .... Applicant

(through Sh. Sachin Chauhan)

**Versus**

1. Union of India through  
 Its Secretary  
 Ministry of External Affairs  
 South Block, New Delhi.
  
2. Sh. Acquino Vimal  
 Director (CNV &I) &  
 Chief Vigilance Officer  
 Ministry of External Affairs  
 Vigilance Unit, South Block, New Delhi.  
 .... Respondents  
 (through Sh. S.N. Verma)

**ORDER(ORAL)****Hon'ble Sh. R.N. Singh, Member(J)****MA No. 1137/2020**

By way of this MA, the applicant has prayed for impleading the UPSC as respondents in the OA.

2. After arguing for some time, Sh. Sachin Chauhan, learned counsel for the applicant does not press the present MA. Accordingly, the same is dismissed as not pressed.

**MA No. 1138/2020**

By way of the present MA, the applicant has prayed for preponement of the date of hearing, i.e., from 14.08.2020 to any earlier date. Alternatively, the applicant has also prayed for a direction to the respondents to pass final order in the present departmental inquiry after consulting the UPSC, in a time bound manner.

**OA No. 4176/2018**

Sh. Sachin Chauhan, learned counsel for the applicant submits that the Inquiry Officer has tendered his report on 04.11.2019 and the applicant has



submitted his representation on 27.12.2019 and in spite of the fact that more than 7 months have passed, no final order has been passed by the respondents in the said departmental proceedings. He further submits that the applicant shall be satisfied if the present MA and OA both are disposed of with direction to the respondents to pass a final disciplinary order in the present disciplinary proceedings against the applicant in a time bound manner.

2. Sh. S.N. Verma, learned counsel for the respondents submits that respondents have already sent a letter to the UPSC on 28.05.2020 seeking their statutory advice and in response thereto, they have received a communication from the UPSC that it needs four to six months' time to tender the requisite advice.

3. From the aforesaid, it is evident that the respondents have themselves taken more than four months' time to send the requisite documents to UPSC for their statutory advice. Be that as it may, it is not in dispute that the respondents have sent the requisite

documents to UPSC for seeking their statutory advice on 28.05.2020, i.e., around two months back.



4. In the aforesaid facts and circumstances and with the consent of the parties, the present OA and MA are disposed of with direction to the respondents to pass final disciplinary order in the said disciplinary proceedings as expeditiously as possible and in any case within four months from the date of receipt of a certified copy of this order.

5. The OA and MA are disposed of in the aforesaid terms. No order as to costs.

6. We clarify that we have not expressed our opinion on the merit of the claim of the applicant.

**(R.N. Singh)**  
**Member(J)**

**(A.K. Bishnoi)**  
**Member(A)**

ravi/ns/akshaya