



**Central Administrative Tribunal
Principal Bench, New Delhi**

**CP No. 149/2020 in
OA No.803/2020**

Today this the 4th day of September, 2020

Through video conferencing

**Hon'ble Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Pradeep Kumar Berwah
S/o Shri Ratan Lal Berwah
Aged about 58 years,
Chief Controller of Accounts
M/o Power
Sewa Bhawan
New Delhi-110066.

.. Petitioner

(By Advocate : Shri Sanjiv Joshi)

Versus

1. Shri Ajai Srivastava
Inquiry Officer and the Retired Deputy Secretary
306, Pratkan Apartments,
Sec-5, Vasundhara,
Ghaziabad-201012.
2. Smt. Suman Bala
Joint Controller General of Accounts (Vigilance)
Office of the Controller General of Accounts
Maha Lekha Niyantarak Bhawan,
E-Block, INA, New Delhi.

.. Respondents

(By Advocate : Shri Gyanendra Singh)

Order (Oral)**Justice L. Narasimha Reddy, Chairman**

The applicant filed O.A. No.803/2020 in relation to the disciplinary proceedings initiated against him. Several grounds were raised on various aspects. The O.A. was disposed of on 10.07.2020, leaving it open to the applicant to make a representation within one week as regards the objection about the competence of the Inquiry Officer. It was also directed that the representation shall be disposed of within two weeks thereafter. Observation is also made to the effect that till such order is passed, the inquiry shall not be proceeded with.

2. This contempt case is filed stating that the representation was made on 26.07.2020 and the order was passed thereon on 07.08.2020, rejecting it. The grievance of the applicant is that despite the stay granted by this Tribunal, the inquiry was proceeded on 15.07.2020 and even thereafter.

3. We heard Shri Sanjiv Joshi, learned counsel for applicant and Shri Gyanendra Singh, learned counsel for respondents.

4. The principal direction issued in the O.A. was as regards the disposal of the representation raising objection as to the competence of the Inquiry Officer. The concerned authority passed an order within the stipulated time. It is also brought to



our notice that the applicant filed an O.A. challenging the order dated 07.08.2020 and it was also dismissed.

5. The complaint in the present CP is that the IO proceeded with the inquiry on 15.07.2020. On instructions, it is stated that not being aware of the order of this Tribunal, a sitting was held on 15.07.2020, but thereafter no proceedings were conducted till the disciplinary authority passed order.

6. We do not find any contempt on the part of the respondents. The CP is accordingly closed.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/sunil/jyoti/ankit/dsn