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**CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI**

(Hearing through video conferencing)

ORIGINAL APPLICATION No.211/2099/2020

Dated this Tuesday, the 03rd day of November, 2020

**CORAM : DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)**

Harshvardhan S/o Ratnakar Nanoti, Aged about 50 years,
Occ- Retired, R/o 202, Abhinav Residency,
Laxminagar, Nagpur.
(By Advocate Shri Akshaya Sudame)

- Applicant

Versus

1. Union of India, through its Secretary, Ministry of Finance,
Department of Revenue, North Block, New Delhi 100 001.
2. Commissioner of Income Tax (Admn & TPS),
1st Floor, Aaykar Bhawan, Telangkhedi Road,
Civil Lines, Nagpur 440 001.
3. Shri S.R.Singh/Inquiry Officer,
Joint Commissioner of Income Tax, Audit Range,
Nagpur Office: 2nd Floor, Saraf Chambers,
Mount Road, Sadar, Nagpur.
(By Advocate Shri R.G.Agarwal)

- Respondents

ORAL ORDER
Per : Dr. Bhagwan Sahai, Member (A)

Present: Shri Akshaya Sudame, learned counsel for the applicant and
Shri R.G.Agarwal, learned counsel for the respondents. This matter
was heard today through video conference, with the consent of both
the counsels for the parties.

2. On last date of hearing of this case on 09.10.2020, the applicant's counsel pressed for grant of relief as stay to decision of the respondents to proceed with disciplinary proceedings against the applicant, which was opposed by the respondents' counsel.

3. Therefore, in order to appreciate the conduct of the applicant, we directed the applicant's counsel to submit a copy of proceedings sheet of the criminal trial going on against the applicant after 22.01.2019 when the Tribunal disposed of OA 2136/2018 directing the respondents to keep the disciplinary proceedings on hold for six months and subsequently in its order dated 21.01.2020 in OA 2023/2020, further stay to the disciplinary proceedings was granted by this Tribunal for another three months. The applicant's counsel has done that.

4. We have heard today both the counsels and perused the copy of the proceedings sheet in the criminal trial. From it we observe that the proceedings in that trial could not move ahead because of lockdown from March, 2020, although prior to that the applicant had remained absent on one occasion and sought adjournment on another occasion. Consequently, the applicant could not effectively avail of benefit of the earlier granted stay to the disciplinary proceedings.

5. In view of these factors, we think it appropriate to dispose this OA by directing the respondents to keep the disciplinary proceedings against the applicant on hold for another three months from today.

6. With this, the OA is disposed of. No order as to costs.

(Ravinder Kaur)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

kmg*

20/1/2020