

Central Administrative Tribunal
Principal Bench, New Delhi

M.P.-3286 of 1993 In
O.A. No. 621 of 1991

15th day of November, 1993.

J.P. Sharma, Member (Judl.)

B.K. Singh, Member (A)

Shri S.S. Rathore,
s/o Shri D.D. Singh,
r/o C/25, Income Tax Colony,
Peddar Road,
Bombay-400026.

.... Applicant

By Advocate Shri P.P. Khurana.

Versus

1. Union of India through the
Secretary, Deptt. of Revenue,
Ministry of Finance,
North Block, New Delhi.

2. Central Board of Direct Taxes
through its Chairman, Ministry
of Finance, North Block,
New Delhi.

.... Respondents

By Advocate Shri R.S. Aggarwal.

O R D E R (Oral)

Shri J.P. Sharma:

The applicant was working as Deputy Commissioner of Income Tax at the relevant time when he assailed the memo. of charge-sheet dated 21.1.1990, initiating major penalty of the proceedings against the applicant under Rule 14 of the CCA(CCS) Rules, 1965. He prayed for the grant of the relief that the aforesaid memo. of charge-sheet be quashed and as an interim relief, he prayed that further proceedings in pursuance of the charged memo. be stayed. A notice was issued to the respondents. On 19.3.1991, after hearing the counsel for the parties, an

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order was passed that in the meantime, the respondents shall not proceed in the matter in pursuance of the charge-sheet dated 21.1.1992. This order continues in force.


2. In the meantime, the respondents filed their reply and contested the relief prayed for by the applicant in the application.

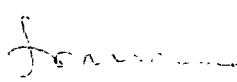
3. MP-3286/93 has been filed by the applicant praying that the aforesaid application be disposed of by a direction to the respondents to complete the disciplinary proceedings within such time as the Tribunal may deem fit, giving liberty to the petitioner to file a fresh application in the event of feeling aggrieved by the outcome of the disciplinary proceedings.

4. We have heard both the counsel of the parties at length. Shri R. S. Aggarwal, counsel for the respondents, desires some time to file a reply to the M.P., but we do not find any necessity in view of the prayer made in the M.P. The only prayer in the M.P. is that the memo. of charge-sheet dated 20.1.1990 issued to the applicant, be ordered to be carried out by holding a departmental enquiry from the stage at which it was stayed and the respondents should complete the departmental proceedings finally within the stipulated period to be given by the Tribunal.

5. We have considered the matter. We dispose of the O.A. as well as the M.P. with the direction to the respondents to conclude the departmental enquiry proceedings as expeditiously as possible. The applicant

if feels still aggrieved either by non-disposal of
the enquiry proceedings within a ^{reasonable time} ~~reasonable time~~, or
if there is any adverse order which he still wants to
assail, he shall have the liberty to do so even on the
grounds taken in this application. No costs.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J)

SLP