

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH****O.A. No.60/00394/2021**

Chandigarh, this the 15th of April 2021

HON'BLE MRS. AJANTA DAYALAN, MEMBER (A)

Gulshan Kumar (HRMS No.199402621) aged about 56 years S/o Sh. Hari Ram, resident of Opposite AGM Mail, Tehsil and District Gurdaspur.

....Applicant

(BY: Mr. S.K. Chaudhary, Advocate)

Versus

1. Bharat Sanchar Nigam Limited through its Chairman-cum-Managing Director, New Delhi – 110011.
2. Chief General Manager, Telecom BSNL, Punjab Circle4, Sanhcar Sadan, Sector 34-A Chandigarh.
3. Chief General Manager-cum-disciplinary authority, Punjab Telecom Circle, Sanchar Sadan, Sector 34-A, Chandigarh.
4. General Manager Telecom, Business Area, BSNL, Ranjit Avenue Amritsar.

... .Respondents

(BY: Mr. K.K. Thakur, Advocate)

O R D E R(Oral)**AJANTA DAYALAN, MEMBER (A):**

1. Heard learned counsel for the applicant. He states that the disciplinary proceedings were initiated against the applicant in 2018. The Presiding Officer and Inquiry Officer were appointed. The Inquiry Officer submitted report to the CGMT Punjab Circle Chandigarh in December 2019. A copy of the



report was received by the applicant on 18.05.2020. Reply to the same was also submitted in June 2020. However, no decision in disciplinary case has been taken by the competent authority till now despite lapse of more than two years even after submission of inquiry report by the Inquiry Officer.

2. The learned counsel for the applicant further states that meanwhile the applicant has already requested for voluntary retirement and that has been accepted. He stands retired from the service. However, none of his retirement benefits has been finalised till date due to pending inquiry.
3. As such, the learned counsel for the applicant pleads that the relief claimed in the O.A. deserves to be granted to the applicant.
4. Issue notice to the respondents.
5. Sh. K.K. Thakur, Advocate, appears and accepts notice on their behalf.
6. At this stage, the learned counsel for the applicant states that he will be satisfied in case directions are issued to the respondents to finalise the pending disciplinary proceedings against the applicant in a time bound manner.
7. The learned counsel for the respondents does not object to this limited prayer of the learned counsel for the applicant.
8. I observe that the disciplinary proceedings were initiated against the applicant way back in May 2018. The Presiding



Officer and the Inquiry Officer were appointed and the Inquiry Officer submitted his report way back on 31.12.2019. The same was communicated to the applicant and his response was also submitted in June 2020. Despite this, no decision has been taken by the disciplinary authority as yet in the matter. Meanwhile, the applicant has been allowed to retire voluntarily but his retirement benefits have been kept pending due to pending disciplinary case.

9. In view of the above clear facts of the case as well as pleadings made by both the counsel, I hereby direct the competent authority amongst the respondents to decide the disciplinary case of the applicant within a period of two months from the date of receipt of a certified copy of this order. The order so passed shall be communicated to the applicant.
10. Needless to mention that this order be not construed as an expression or opinion on the merit of the case.
11. The O.A. is disposed of in the above manner. There shall be no orders as to costs.

**(AJANTA DAYALAN)
MEMBER (A)**

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