

Item No.31



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

OA No. 842/2021

This the 9th Day of July, 2021

(Through Video Conferencing)

**Hon'ble Justice Mr. L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Sh. Ashok Kumar Gautam,
Senior Public Prosecutor,
Central Bureau of Investigation (CBI),
Anti Corruption Branch (ACB),
Shahstri Bhawan, Haddows Road,
Nungam Bakkam, Chennai - 600006,
(Tamil Nadu),
R/o House No. 10A, First Floor,
Sanjay Nagar, Delhi - 110007.

... Applicant

(By Advocate :Dr. Naipal Singh)

Versus

1. The Director,
Central Bureau of Investigation (CBI),
Head Office: CGO Complex,
Lodhi Road, New Delhi.
2. Secretary,
Govt. of India,
Ministry of Personnel, Public Grievances & Pensions,
Department of Personnel & Training,
New Delhi.

... Respondents

(By Advocate :Mr. Gyanendra Singh)

O R D E R (ORAL)**Justice L. Narasimha Reddy, Chairman :**

The applicant is working as Senior Public Prosecutor (SPP) in the Central Bureau of Investigation (CBI). He was issued a charge memorandum dated 22.05.2020 in relation to the method of conducting a sensitive matter in the CBI Special Court, at Patna. This OA is filed challenging the memorandum of charge dated 22.05.2020. Another grievance of the applicant is that the respondents did not pay him the salary for several months and prayed for a direction to the respondents for release of the same along with interest.

2. Today, we heard Dr. Naipal Singh, learned counsel for the applicant and Mr. Gyanendra Singh, learned counsel for the respondents.

3. As many as seven articles of charge are framed against the applicant as regards his functioning as SPP, CBI at Patna. Though we are not dealing with the merits of articles, it became necessary to peruse the articles of charge. It is not even pointed out that no act of misconduct can be discerned, even if the articles of charge are taken as true. A perusal of articles of charge discloses that serious allegations are made against him and the truth or otherwise thereof needs to be

Item No.31



examined only in the ongoing enquiry. The applicant has already submitted his explanation, denying the charges. It is also not alleged that the authority that issued the charge memorandum, is not vested with the power.

4. We, therefore, dismiss the O.A. However, it is directed that the disciplinary proceedings shall be concluded within a period of 9 months from the date of receipt of a copy of this order and the applicant shall not obstruct the proceedings in any manner. In case, there are any dues of salary payable to the applicant, the same shall be paid within a period of four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/jyoti/maya/ankit/sd/shilpi/