



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

O.A. No.912/2021

This the 28th day of April, 2021

(Through Video Conferencing)

**Hon'ble Mr. A.K. Bishnoi, Member (A)
Hon'ble Mr. Ashish Kalia, Member (J)**

Shri Papu Ram Nagar
Group-C Age 60 years old
S/o Sh. Durga Prasad,
R/o Beejwar Chauhan,
Mundawar Alwar,
Rajasthan-301401.

... Applicant
(through Advocate: Shri Raj Kumar Bhartiya)

Versus

South Delhi Municipal Corporation,
Through its Commissioner,
Education Department Head Quarter,
Dr. SPM Civic Centre, F-Block,
23rd Floor, JKM Marg, New Delhi.

... Respondent
(through Advocate: Ms. Anupama Bansal)

ORDER (Oral)

Hon'ble Mr. Ashish Kalia, Member (J):

Heard.

2. The brief facts of the case are that the applicant was dismissed from service by the respondents on 30.6.2016 after holding a preliminary inquiry. It was found that the ST caste certificate submitted by him is not valid under the law. Thereafter,



vide orders dated 13.11.2019 and 5.11.2019 (Annexure A-8), the applicant's aforesaid termination order dated 30.6.2016 was withdrawn and he had been posted as Principal with the respondent. Later on the respondent decided to hold a departmental inquiry against the applicant and a chargesheet was issued to him. The applicant has made a representation on 24.2.2020 (Annexure A-2) against the aforesaid chargesheet which is not decided till now by the respondents.

3. Ms. Anupama Bansal, learned counsel for the respondents, who appears on advance information, accepts notice. Ms. Anupama Bansal, learned counsel for the respondents, submits that applicant is not joining enquiry. He should be directed to participate in disciplinary enquiry.

4. After hearing both sides, we are of the considered view that this matter can be disposed of at the admission stage itself with a direction to the respondent/competent authority to decide the applicant's aforesaid representation after considering the material placed by him on record by passing a reasoned and speaking order as early as possible and in any case within a period of four weeks from the date of receipt of a copy of this Order and the same shall be communicated to the applicant. We order accordingly.

5. In case, the applicant is not satisfied after receipt of the decision of the respondent/competent authority, he may file another OA in accordance with law, if so advised.



6. However, it is made clear that while disposing of the present OA, we have not gone into the merit of the case.
7. The OA is disposed of at the admission stage itself in the aforesaid terms. No costs.

(Ashish Kalia)
Member (J)

(A. K. Bishnoi)
Member (A)

/ravi/daya/