

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

OA No. 1396/2016

New Delhi, this the 13th day of May, 2016

**Hon'ble Justice Permod Kohli, Chairman
Hon'ble Mr. K.N. Shrivastava, Member (A)**

Anish Gupta,
Aged 31 years,
S/o Shri Rajnish Gupta
IRS (C&CE: 2009)
R/o 344, Nimri Colony,
Delhi-110052

..... Applicant

(By Advocate: Mr. Prateek Tushar Mohanty)

VERSUS

1. Union of India through
The Secretary,
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi-110001.

2. The Chairperson,
Central Board of Excise and Customs (CBEC),
Department of Revenue,
Ministry of Finance,
North Block,
New Delhi-110001.

.... Respondents

(By Advocate: Mr. Hanu Bhaskar)

ORDER (ORAL)

Justice Permod Kohli, Chairman:

The applicant has challenged the memorandum dated 16.07.2015 whereby a charge memo has been served upon him for holding regular departmental inquiry under Rule 14 of Central Civil Service (Classification, Control and Appeal) Rules, 1965.

2. From the averments made in the application, we do not find any valid ground to interfere in the matter at the stage of initiation of inquiry by serving a charge memo. Learned counsel for the applicant submits that the charges are vague. He is at liberty to raise this point before the inquiring authority during the course of inquiry. However, we notice that though the charge memo was issued on 16.07.2015, but the inquiry has not been concluded till date. The OA is accordingly disposed of with following directions:-

- i) The inquiry officer will complete the inquiry within four months from the date of receipt of a copy of this order.
- ii) If during the course of inquiry, any other request/representation of the applicant is received, the same shall also be considered by the inquiry officer, and if it is to be declined, the same will be by recording reasons.
- iii) On completion of inquiry, the inquiry officer shall submit his report to the disciplinary authority within 15 days, on receipt whereof, the disciplinary authority shall take final decision in accordance with law within four months thereafter.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

/daya/