

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

O.A. No.1023/2016

M.A. No.244/2017

M.A. No.702/2018

Tuesday, this the 20th day of March 2018

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

Dr. Sunil Kumar
s/o Sh. Baldev Raj Sahdev
aged about 53 years
Presently posted as CMO (NFSG)
RBIPMT Hospital
r/o 33/14, 2nd Floor
Shakti Nagar
Delhi – 110 007

..Applicant

(Mr. Nilansh Gaur, Advocate)

Versus

1. North Delhi Municipal Corporation
Through its Commissioner
Civic Center, JLN Marg
New Delhi – 110 002
2. Central Vigilance Commission
Through its Director
Satarkata Bhawan
GPO Complex
Block A, INA
New Delhi – 110 023

..Respondents

(Mr. Manjeet Singh Reen, Advocate for respondent No.1 &
Mr. R K Jain, Advocate for respondent No.2)

O R D E R (ORAL)

Justice Permod Kohli:

It is not in dispute that during the pendency of this O.A., the inquiry proceedings stand completed and even the penalty has been imposed by the

disciplinary authority. The penalty order has also been served upon the applicant.

2. In this view of the matter, this O.A. is rendered infructuous. Learned counsel for applicant submits that since the applicant had challenged the *de novo* proceedings, he may be allowed to raise the issues, which have been raised in the present O.A., before the appellate authority as well while assailing the penalty proceedings. The prayer is genuine. The liberty prayed for is allowed.

3. With these observations, present O.A. is dismissed as having rendered infructuous.

4. In view of the aforesaid order, no separate order is required to be passed in M.A. Nos.244/2017 and 702/2018. The M.As. are accordingly disposed of.

(K.N. Shrivastava)
Member (A)

(Justice Permod Kohli)
Chairman

March 20, 2018
/sunil/