

**Central Administrative Tribunal
Principal Bench**

OA No.2531/2016

New Delhi, this the 26th day of September, 2016

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

Lachhman Singh,
Chief Engineer (Civil),
Aged about 59 years,
S/o Late Sh. Atma Ram,
R/o Flat No. 1A, Plot No.20/1,
Krishna Nagar,
Opp. B-4/212,
Sardurjung Enclave,
New Delhi-110029.

...applicant

(By Advocate : Shri M.K. Bhardwaj)

Versus

1. Delhi Development Authority,
Through its Vice Chairman,
Vikas Sadan, New Delhi.
2. The Commissioner (Personnel),
Delhi Development Authority,
B-Block, Vikas Sadan,
New Delhi.

...respondents

(By Advocate : Ms. Sriparna Chatterjee)

ORDER (ORAL)

Mr. Justice Permod Kohli, Chairman :-

The applicant has sought quashing of the charge memo dated 30.07.2015 and subsequent proceedings, including the enquiry report dated 29.3.2016.

2. Shri M.K. Bhardwaj, learned counsel appearing for the applicant has referred to a noting of the CVO, DDA that the enquiry officer B.G. Rai be debarred from all future cases and also take action against him as per law. Based on this noting, which has been approved by the Vice Chairman, DDA, it is contended that the enquiry held against the applicant is liable to be set aside.

3. Admittedly, the enquiry has been completed and enquiry report furnished to the applicant for his response/representation. The applicant is yet to make a representation.

4. Ms. Sriparna Chatterjee, learned counsel appearing for the respondents submits that the applicant has not filed a representation within the prescribed time.

5. Shri Bhardwaj seeks extension of time. Insofar as question of extension of time is concerned, the applicant may approach Disciplinary Authority seeking extension of time. Since the enquiry has already been completed and its report served upon the applicant, he is at liberty to take all permissible grounds, in respect to the validity of the enquiry report with the Disciplinary Authority, which is obligated under the law to take into consideration all such pleas and pass an appropriate order.

6. In this view of the matter, we do not want to interfere in the matter at this stage. However, the applicant is at liberty to take all

pleas, including the plea urged in this OA with the Disciplinary Authority in the event any extension of time is granted by the Disciplinary Authority for filing the representation. We do not express any opinion in respect to the other issues raised in the OA.

7. The O.A. stands disposed of.

(V.N. Gaur)
Member (A)

(Justice Permod Kohli)
Chairman

‘rk’