

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

O.A. No.3556/2017  
M.A. No.4004/2017

Friday, this the 22<sup>nd</sup> day of December 2017

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

Shri M N Saxena  
Group B, Age 59 years  
r/o 258-B, Pocket C  
Mayur Vihar Phase-II, Delhi

Applicants

(Ms. Tamali Wad, Advocate)

Versus

Union of India through

1. The Secretary  
Ministry of Finance  
Department of Revenue  
North Block, New Delhi
2. The Director  
Directorate of Enforcement  
(Foreign Exchange Management Act)  
Govt. of India  
6<sup>th</sup> Floor Lok Nayak Bhawan, New Delhi

..Respondents

(Mr. Rajeev Kumar, Advocate)

**O R D E R (ORAL)**

**Justice Permod Kohli:**

Even though the applicant has challenged the charge memo and the inquiry proceedings, however, during the course of arguments, learned counsel for applicant submits that the applicant would be satisfied if directions are issued to the respondents to finally decide the disciplinary proceedings. It is evident from the daily order sheet dated 14.02.2017

(Annexure A-16) of the inquiry officer that the inquiry proceedings were concluded on 14.02.2017.

2. Under these circumstances, this O.A. is disposed with the following directions:

i) A copy of the inquiry report shall be furnished to the applicant within three weeks from the date of receipt of a copy of this order, providing opportunity to the applicant to respond to the inquiry report in accordance law within a period of two weeks.

ii) On receipt of the inquiry report and the response of the applicant, the disciplinary authority will conclude the disciplinary proceedings and pass a final order within a period of two months thereafter.

3. At this stage, learned counsel for applicant also submits that since the applicant is retiring the respondents may withhold the pensionary benefits. Suffice it to say that the provisional pension of the applicant, as admissible under the rules, may be released to the applicant in accordance with law.

4. In view of this, no separate order is required to be passed in M.A. No.4004/2017. It is accordingly disposed of.

**( K.N. Shrivastava )**  
**Member (A)**

**( Justice Permod Kohli )**  
**Chairman**

**December 22, 2017**  
**/sunil/**