

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA 100/1179/2016

New Delhi, this the 20th day of August, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Shri N.C. Godlaw
S/o Shri K.C. Godlaw,
Executive Engineer
Flyover Division No.3, Astha Kunj,
Nehru Place, New Delhi-110019
R/o 155, Pocket-I, Sector-6, Dwarka
New Delhi-110075

....Applicant

(Through Shri M.K. Bhardwaj, Advocate)

Versus

Delhi Development Authority,
Through its Vice Chairman
Vikas Sadan, INA
New Delhi

....Respondent

(Through Shri Rajeev Kumar, Advocate)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman

This OA is filed by the applicant challenging the charge sheet dated 7.01.2016. The principal ground raised by him is that the allegations contained in the charge sheet, were subject matter of charge sheet dated 3.02.2012 and after conducting a

detailed inquiry, the Inquiry Officer (IO) exonerated him of the charges. It is stated that once the applicant has been exonerated, there is no basis to issue him another charge sheet on the same allegations.

2. The respondents filed counter opposing the statement that both the charge sheets contained same allegations.

3. Heard Shri M.K. Bhardwaj, for the applicant and Shri Rajeev Kumar, for the respondents.

4. The principal contention in the OA is that same allegations, which have been inquired into earlier, are sought to be inquired in the second charge sheet also. It is thus prayed that charge sheet dated 7.01.2016 be quashed.

5. Be that as it may, the applicant submitted a representation dated 25.07.2018 to the Principal Commissioner (Pers)/CVO, Delhi Development Authority with the request to withdraw the charge sheet. If, in fact, the subject matter of charge sheets dated 3.02.2012, on the one hand and 7.01.2016, on the other is one and the same, there would not be any justification to conduct inquiry in the second charge sheet, which is on the same set of allegations. This is a matter which needs to be examined by the respondents.

6. Therefore, we dispose of this OA with a direction to the respondents to consider the representation of the applicant dated 25.07.2018 and pass an appropriate speaking order within a period of two months from the receipt of a certified copy of this order. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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