

**Central Administrative Tribunal
Principal Bench**

OA No.1205/2018

New Delhi, this the 27th day of August, 2018

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Pradeep Kumar, Member (A)**

Smt. Rachel Toppo,
W/o Late Shri Devendra Toppo,
R/o 283-C, J&K Pocket,
Dilshad Garden,
Delhi-110095.

...Applicant

(By Advocate : Ms. Tamli Wad)

Versus

Govt. of NCT of Delhi
Through

1. The Lt. Governor,
6, Raj Niwas Marg,
Civil Lines, New Delhi,
Delhi-110054.
2. Director of Vigilance,
Directorate of Vigilance,
4th Level, C Wing,
Delhi Secretariat, I.P. Estate,
New Delhi-110002.
3. Directorate of Education,
Old Secretariat,
Near Vidhan Sabha,
Civil Lines, New Delhi,
Delhi-110054.
4. C.R. Dass S.K.V. No.1
New Seelampur School,
J432, New Seelampur,
Shahdara, Delhi-110053.

5. Ministry of Home Affairs,
Through its Secretary,
Government of India,
North Block,
Raisina Hill,
New Delhi-110001.

...Respondents

(By Advocate : Shri Anuj Kumar Sharma)

ORDER (ORAL)

Justice L. Narasimha Reddy, Chairman :-

Disciplinary proceedings were initiated against the applicant by issuing the charge memorandum dated 25.06.2014. It is stated that the Inquiry Officer submitted his report long back. This OA is filed with a prayer to direct the respondents to conclude the disciplinary proceedings that have been initiated in the year 2014. There is no formal counter affidavit filed by the respondents, but the OA has undergone several adjournments and has passed several stages.

2. We heard Ms. Tamli Wad, learned counsel for applicant and Shri Anuj Kumar Sharma, learned counsel for respondents.

3. The only prayer made in the OA is the one, for conclusion of the disciplinary proceedings. A perusal of the orders passed in the OA from time to time, particularly, the one

dated 18.04.2018 discloses that the Lt. Governor i.e. the Appointing Authority has recommended the imposition of penalty of cut of 3% cut in pension of the applicant for a period of one year. That was way back in April, 2018. It is brought to our notice that the UPSC has also since delivered its opinion suggesting exoneration of the applicant. On finding that the matter is pending with the Ministry of Home Affairs, the applicant filed the MA No.1887/2018, for impleading the Home Ministry. The Application was allowed. Even thereafter, hardly there is any progress.

4. We are of view that the applicant, a retired employee cannot be subjected to such an uncertainty, particularly, when the pension and other benefits are withheld. We therefore, dispose of the OA directing the respondents to conclude the disciplinary proceedings initiated against the applicant within a period of eight weeks from the date of receipt of a certified copy of this order. There shall be no order as to costs.

(Pradeep Kumar)
Member (A)
'rk'

(Justice L. Narasimha Reddy)
Chairman