

**Central Administrative Tribunal
Principal Bench**

OA No.4460/2015

New Delhi, this the 4th day of September, 2018

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

Prof. B.P. Srinivasan,
(Ex-Director DIPSAR),
A-1533, First Floor, Front Facing,
Greenfield Colony,
Faridabad-121010 (Har.)

...Applicant

(By Advocate : Shri Alok Gupta with Shri Akshay Singh)

Versus

1. The Secretary, Delhi,
Through L.G. Sectt.
6,Raj Niwas Marg,
Raj Niwas,
Delhi-110054.
2. Govt. of NCT Delhi,
Through the Secretary/Director,
Directorate of Vigilance,
4th Level, C-Wing, Delhi Secretariat,
I.P. Estate, New Delhi-110002.
3. The Inquiring Authority/DOV,
Presently – Dr. B.S. Banerjee,
Directorate of Vigilance,
6th Level, C-Wing, Delhi Secretariat,
I.P. Estate, New Delhi-110002.
4. Central Vigilance Commission,
Satarkta Bhawan, G.P.O. Complex,
Block-A, INA, New Delhi-110023.

...Respondents

(By Advocate : Shri Amit Anand)

ORDER (ORAL)**Justice L. Narasimha Reddy, Chairman :-**

This OA is filed challenging the memorandum dated 01.05.2013 issued by the Directorate of Vigilance, Government of National Capital Territory of Delhi. Through the said memo, the respondents intended to initiate the disciplinary proceedings and have also enclosed a memorandum of charge. The applicant has raised several contentions in challenge to the impugned order.

2. The respondents filed a counter affidavit opposing the OA. It is stated that the impugned memorandum does not suffer from any legal or factual infirmity and that instead of participating in the proceedings, the applicant approached the Tribunal.

3. Heard Shri Alok Gupta, learned counsel for applicant and Shri Amit Anand, learned counsel for respondents.

4. The record discloses that though a prayer was made for stay of the inquiry proceedings, that request was not acceded to. The result is that there was no impediment for

the respondents to conclude the inquiry. By all means inquiry proceedings should have attained finality by this time. If for any reason, the inquiry is still pending, it needs to be concluded at the earliest.

5. We, therefore, dispose of the OA directing that in case the disciplinary proceedings in pursuance of the memorandum dated 01.05.2013 impugned in the OA are not concluded as yet, they shall be concluded within a period of three months from the date of receipt of a copy of this order. It is needless to mention that if any order of punishment has been passed by the respondents by this time or if any such order emerges as a result of the proceedings, if they are still pending, it shall be open to the applicant to avail his remedies, vis a vis the same. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

‘rk’