

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

...
ORIGINAL APPLICATION NO.060/01553/2018
Chandigarh, this the 24th day of December, 2018

...
CORAM:HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J) &
HON'BLE MS. P. GOPINATH, MEMBER (A)

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Dr. Bhola Nath Malik S/o R.K. Malik, aged 58 years, Dy. Director (Group A) at office of CPPTC, Sector 35/36, Narsinghpur Khatola, Gurgaon, R/o H.No.556/20 Gali No.2, Om Nagar, Gurgaon Haryana [122004].

....APPLICANT

(Present: Mr. P.L. Verma, Advocate)

VERSUS

1. Union of India through its Secretary, Ministry of Agriculture and Farmer Welfare, Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi [110001].
2. The Joint Commissioner of Poultry, Ministry of Agriculture and Farmer Welfare, Department of Animal Husbandry, Dairying and Fisheries, Krishi Bhawan, New Delhi [110001].

....RESPONDENTS

(Present: Mr.Sanjay Goyal , Advocate)

ORDER (Oral)
SANJEEV KAUSHIK, MEMBER (J)

1. The present O.A. has been filed by the applicant for issuance of a direction to the Disciplinary Authority to conclude the disciplinary proceedings initiated against him to inquire into two charge-sheets dated 15.03.2010 (Annexure A-1) and 20.09.2013 (Annexure A-3), expeditiously and drop the charges against him.
2. Mr. P.L. Verma, learned counsel for the applicant submitted that despite the enquiry report having been submitted by the Inquiry Officer on 23.05.2012, after conducting an inquiry on two charge-sheets dated 15.03.2010 (Annexure A-1) and 20.09.2013 (Annexure A-3), the disciplinary authority has not concluded the departmental

proceedings till date. Learned counsel contends that the disciplinary authority is delaying the departmental proceedings, and the pendency thereof has deprived him of a right for promotion and for that reasons, he has also been denied issuance of 'NOC' for obtaining pass-port. He, therefore, prays that the O.A. may be disposed of with a direction to the Disciplinary Authority to conclude the departmental proceedings expeditiously.

3. Issue notice to the respondents.

4. At this stage, Mr. Sanjay Goyal, Advocate, appears and accepts notice on behalf of respondents. He does not object to the disposal of the O.A. in the above terms.

5. Considering the ad-idem between the parties, the O.A. is disposed of, with a direction to the Disciplinary Authority to conclude the departmental proceedings expeditiously, in any case, not later than three months from the date of receipt of a copy of this order. If there is any legal or procedural hurdle in concluding the departmental proceedings, the same may be communicated to the applicant, by passing a reasoned and speaking order in that behalf.

6. Needless to mention, the disposal of the O.A. shall not be considered as an expression of any opinion on the merits of the case.

No costs.

(P. GOPINATH)
MEMBER (A)

(SANJEEV KAUSHIK)
MEMBER (J)

Dated: 24.12.2018

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