

**Central Administrative Tribunal  
Principal Bench  
OA-2144/2017**

New Delhi, this the 7<sup>th</sup> day of March, 2019

**Hon'ble Ms. Nita Chowdhury, Member (A)**  
**Hon'ble Mr. S.N. Terdal, Member (J)**

Ajay Bhatnagar, (Aged-57 years)  
S/o Late R.S. Bhatnagar  
R/o D-63, Palika Kunj, Lodhi Colony  
New Delhi – 110 003.

Working as Sr. Assistant in NDMC.

....Applicant

(By Advocate : Mrs. Harvinder Oberoi)

Versus

1. The Chairman  
[Disciplinary Authority]  
New Delhi Municipal Council  
Palika Kendra  
New Delhi.

2. Director (Vigilance)  
New Delhi Municipal Council  
Palika Kendra  
New Delhi.

3. V.K.Hasiya  
JT. CAO, (Budget)  
Finance Department as Inquiring Authority  
New Delhi.

4. Aswani Parasar  
AAO, Internal Audit, As Presenting Officer  
NDMC, New Delhi. ....Respondents

(By Advocate : Ms. Sriparna Chatterjee and Shri Nirvikar Verma)

## **ORDER (ORAL)**

### **Ms. Nita Chowdhury, Member (A):**

This OA has been filed by the applicant seeking the following reliefs :-

- "A. To quash and set aside the letter dated 14.06.2017 and 20.06.2017.
- B. To quash and set aside the orders dated 11.01.17 issued for appointing Inquiring Authority and Presenting officer.
- C. To direct the Disciplinary Authority to provide the legitimate, legible and attested photocopies of the listed documents and legible photocopies of the document in place of defective photocopy as detailed in his Representation by the applicant;
- D. To provide a real opportunity to the applicant to submit Written Statement of Defence in terms of Rule 14 Sub Rule 4 and 5 a of the CCS (CCA) Rules and further direct the DA to pass a speaking order on WS, as to why the enquiry is necessary or not, in the interests of justice and fair play.
- E. To sack the Inquiring Authority and Presenting Authority on the ground of bias and malafide.;
- F. Direct the respondent to grant all consequential benefits, in accordance with law; and/or
- G. Pass such order or further orders that this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

2. Today, when the matter is taken up for adjudication, both parties are present and counsel for the applicant fairly submits that during the pendency of this OA, the disciplinary proceeding has been concluded and final orders passed.

3. Hence, in view of the above submission, nothing further remains to be adjudicated in the matter. The applicant is given the liberty to challenge the decision in the disciplinary proceeding, if so advised, in accordance with law.

**(S.N. Terdal)**  
**Member (J)**

**(Nita Chowdhury)**  
**Member (A)**

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