

**Central Administrative Tribunal  
Principal Bench**

**OA No.829/2019**

New Delhi, this the 13<sup>th</sup> day of March, 2019

**Hon'ble Sh. Justice L. Narasimha Reddy, Chairman  
Hon'ble Mohd. Jamshed, Member (A)**

Sh. Ambika Mahto, Grade-II (DASS)  
Age 59 years  
D/o Late Sh. Shivilakhan Mahto  
R/o B-117, Gali No.6, Krishna Colony  
Sehatpur Ext. Distt. Faridabad(Haryana) . . . . .Applicant

(By Advocate: Shri Anmol Pandita)

Vs.

1. Govt. of NCTD through  
Chief Secretary, Govt. of NCTD  
A-Wing, 5<sup>th</sup> Floor, Delhi Secretariat  
New Delhi-110002.
2. The Secretary, Directorate of Vigilance  
4<sup>th</sup> Floor, A Wing, Delhi Secretariat  
New Delhi-110002.
3. The Commissioner/Secretary  
Food Supplies Consumer Affairs  
K Block, Vikas Bhawan, I.P. Estate  
New Delhi-110002.
4. The Director, Directorate of Education  
Old Secretariat  
Govt. of NCT of Delhi  
Delhi-110054. . . . .Respondents

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

The applicant is working as Grade-II Inspector in the Food and Supply Department, GNCTD. Disciplinary proceedings were initiated against him through a memorandum dated 15.01.2015. The applicant states that though four years have elapsed ever since the proceedings were initiated, they have not been concluded as yet and in the meanwhile, he has been subjected to great hardship.

2. This OA is filed with a prayer to direct the respondents to conclude the disciplinary proceedings in a time bound manner.
3. Heard Shri Anmol Pandita, learned counsel for the applicant at the stage of admission.
4. The relief claimed in the OA is to direct the respondents to pass final orders, in a time bound manner, as indicated by the DoP&T and CVC in various circulars. Though a prayer is also made for setting aside the charge memo, the same cannot be entertained. By any standard, four years is a very long period in the context of conclusion of disciplinary proceedings. The

charges against the applicant are also not that serious. The applicant made a representation dated 29.01.2019 with a request to conclude the proceedings since he is scheduled to retire in January, 2020.

5. It is stated that the inquiry officer is yet to submit his report. The applicant cannot be subjected to hardship of facing the disciplinary proceedings, hardly with any progress, that too before his retirement.

6. We, therefore, dispose of the OA directing that the inquiry officer shall conclude the proceedings, at his level, and submit his report within a period of two months from the date of receipt of a copy of this order and the Disciplinary Authority, in turn, shall pass the final order in the proceedings within a period of two months thereafter. If the inquiry is not concluded as indicated above, the Disciplinary Authority shall consider the feasibility of giving a quietus to the proceedings.

7. There shall be no order as to costs.

**(Mohd. Jamshed)**  
**Member(A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

/vb/