

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

O.A No. 3697/2016

New Delhi, this the 10th day of December, 2018

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

Aseem Kumar Goel,
S/o Sh. R.D. Goyal, Aged- 55 Years
DDE, SCERT, Deputy Director of Education, Group-'A'
Varun Marg, Defence Colony,
New Delhi-110024.

...Applicant

(By Advocate : Mr. Amit Kumar)

Versus

1. Chief Secretary,
Govt. of NCT of Delhi
4th Level, Delhi Secretariat
I.P. Estate, New Delhi.
Govt.of NCT of Delhi.
2. Director
Govt.of NCT of Delhi.
Directorate of Vigilance
6th Floor, Delhi Secretariat, I.P. Estate
New Delhi.

...Respondents

(By Advocate : Ms. Harvinder Oberoi)

O R D E R (O R A L)

Justice L. Narasimha Reddy, Chairman:-

This OA is filed with a prayer to set aside the Charge Memorandum dated 19.09.2016 issued to the applicant.

Several grounds are urged in the challenge to the said Charge Memorandum, such as, delay in issuing Charge Memorandum and failure to supply certain documents.

2. During the pendency of the OA, the Disciplinary Authority passed the order dated 26.10.2018 imposing the punishment. In fact, MA No. 5128/2018 is filed with a prayer to stay implementation of the order dated 26.10.2018.

3. We heard Mr. Amit Kumar, learned counsel for the applicant, and Ms. Harvinder Oberoi, learned counsel for the respondents.

4. Whatever may be the strength or otherwise in the grounds urged by the applicant in the challenge to the Charge Memorandum, the OA becomes untenable, once the order of punishment was passed by the Disciplinary Authority.

5. The applicant can urge all the grounds, as and when he challenges the order of punishment before the Appellate Authority, or before this Tribunal, or before any other forum. We, therefore, dismiss the OA as infructuous, leaving it open to the applicant to pursue remedy vis-a-vis the order dated 26.10.2018.

6. It is brought to our notice that period of limitation for availing the remedy of appeal has expired. We, therefore, direct that in case the appeal is preferred by the applicant within 15

days from today, it shall be entertained by the Appellate Authority, without raising any objection.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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