

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 4379/2014

this the 18th day of September, 2019

Hon'ble Mr. S.N. Terdal, Member(J)
Hon'ble Mr. A.K. Bishnoi, Member (A)

Jai Kumar
Age 37, Post Driver/C
VPO – Rewari Khera, Tehsil Bahadurgarh
Distt.-Jhajjar, Haryana – 124504.

...Applicant

(None)

Versus

Delhi Transport Corporation
Govt. of NCT of Delhi
I.P. Estate, New Delhi
(Through its Chairman cum Managing Director)

...Respondent

(By Advocate : Ms. Mona Sinha for Ms. Ruchira Gupta)

ORDER (ORAL)

Mr. S.N. Terdal :

None for the applicant.

2. Heard Ms. Mona Sinha, proxy counsel for Ms. Ruchira Gupta, counsel for respondents.

3. Proxy counsel for respondents has produced a judgment of Hon'ble High Court dated 13.08.2019 in a batch of identical cases in **W.P.(C.) No. 1111/2017 & other connected matters** titled **Delhi Transport Corporation & Ors. vs. Ram Phal & Ors.** She has brought to our notice specifically para 23 and 24 of the High Court order and submitted that in cases of production of bogus driving licence, the Hon'ble High Court

directed that a show cause notice be issued and after considering the reply final decision be taken. Para 23 & 24 of the said order are extracted below :

“23. Resultantly, following the decision of the Supreme Court in ***Surender Singh*** (supra), we dispose of these petitions by permitting the petitioner to issue detailed show cause notices to each of the respondents and other similarly situated. The show cause notices shall be accompanied with the relevant documents in respect of each of the respondents on which the DTC seeks to rely, and should set out the specific charge(s) framed against each of them respectively. Two weeks time shall be granted to the noticees to respond to the show cause notices from the date of receipt of the respective notice. Depending upon whether, or not, the responses are received, and if so received, the petitioner shall proceed in accordance with principles of natural justice.

24. The noticees shall co-operate in the inquiries and the inquiries shall not be adjourned unnecessarily. From the date(s) on which the show cause notices are issued, the noticees shall be deemed to have been reinstated for the purpose of the enquiry, and they would be entitled to receive Subsistence Allowance on their deemed reinstatement for the purpose of enquiry, till the completion of the inquiry. However, in case, it is found that any of the noticees are not co-operating in the inquiry proceedings, or delaying the same unnecessarily – for reasons to be recorded, it shall be open to the petitioner to stop payment of Subsistence Allowance. In case, the respondents/ noticees are aggrieved by any order that may be passed by the Disciplinary Authority on the basis of the enquiry so conducted, it shall be open to them to avail of their rights and remedies.”

2. In view of the order dated 13.08.2019 of Hon’ble High Court referred above, OA is disposed. No order as to costs.

(A.K. Bishnoi)
Member (A)

(S.N. Terdal)
Member (J)

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