

**Central Administrative Tribunal
Principal Bench**

OA No.1981/2014

New Delhi, this the 16th day of July, 2019

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

Sh. Ashok Kumar Dochana
Aged about 57 years
S/o Late Ram Chander
R/o 131, Shivani Enclave
Part-II, Kakrola Road
New Delhi (Working as Asstt.
Wireless Officer) ...Applicant

(By Advocate: Shri S.K. Gupta)

Vs.

1. Chief Secretary
Govt. of NCT of Delhi
Delhi Secretariat, I.P. Estate
New Delhi.
2. Pr. Secretary(Home)
Govt. of NCT of Delhi
Delhi Secretariat, I.P. Estate
New Delhi.
3. Director, Delhi Fire Service
Fire Headquarter
Connaught Circus
New Delhi.
4. Member Secretary
O/o Departmental Complaint Committee/
Joint Secretary(Services)
707B, Delhi Secretariat
Govt. of NCT of Delhi
I.P. Estate, New Delhi. ...Respondents

(By Advocates: Shri Girish C Jha for official respondents
and Ms. Bimla Devi for Shri Ajesh Luthra)

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

This OA is filed challenging the communications dated 23.04.2014, 30.04.2014 and 05.05.2014, in relation to the proceedings before the Internal Complaints Committee.

2. The applicant contends that on the basis of those very allegations, disciplinary proceedings were initiated by issuing a charge memo, inquiry officer was appointed and a report was submitted by the inquiry officer holding that the charges are not proved. It is also stated that the Disciplinary Authority dropped the proceedings taking into account, the report of the Inquiry Officer and when at a later stage he sought to withdraw that, he preferred an appeal and the Appellate Authority had sustained the order through which the proceedings were dropped.

3. The Plea of the applicant is that once the disciplinary proceedings have been dropped, there is no basis to continue the proceedings under Rule 14 of the CCS (CCA) Rules through ICC.

4. The OA was argued at some length. At that stage, Shri S.K. Gupta, learned counsel for the applicant sought permission of the Tribunal to withdraw the OA. We accord permission. The OA is dismissed as withdrawn. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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