

**Central Administrative Tribunal
Principal Bench**

OA No.2170/2019

New Delhi, this the 24th day of July, 2019

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

Sh. Rajender Singh Tomar (aged 56 years)
S/o Late Sh. Prem Singh Tomar
R/o 46/C, Pkt B, Mayur Vihar Ph.-II
New Delhi-110091. ...Applicant

(By Advocate: Shri Anmol Pandita)

Vs.

1. Govt. of N.C.T.D. through Chief Secretary
Govt. of NCTD, Delhi Secretariat
New Delhi.
2. The Dy. Commissioner of Industries (Vigilance)
to the Commissioner of Industries
Govt. of National Capital territory of Delhi
419, Udyog Sadan, FIE, Patparganj
Delhi-110092. ...Respondents

(By Advocate: Shri S.N. Verma)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

The applicant is working as Deputy Commissioner of Industries, GNCTD. The CBI laid a trap against him on 17.07.2015 and he was found to have received a sum of Rs.94,000/- as illegal gratification. Based upon

that, departmental proceedings were initiated against him by issuing a memo of charge dated 18.01.2017 and a criminal case was registered by CBI. The applicant contends that in departmental proceedings the inquiry officer submitted his report and despite that, the final orders are not being passed. This OA is filed with a prayer to direct the respondents to expedite the conclusion of the disciplinary proceedings.

2. We heard Shri Anmol Pandita, learned counsel for the applicant at the admission stage.
3. The record discloses that the applicant is facing departmental as well as criminal proceedings. It may be true that the inquiry officer submitted his report. However, the Disciplinary Authority has to take a decision whether to pass final order in the departmental proceedings or await the outcome of the criminal case. Either way, a decision needs to be taken at the earliest.
4. We, therefore, dispose of the OA directing the Disciplinary Authority to pass orders either as regards conclusion of the disciplinary proceedings or indicating

reasons for keeping them pending, within a period of two months from the date of receipt of the order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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