

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00530/2019

Jabalpur, this Thursday, the 27th day of June, 2019

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER

Surendra Kumar Tripathi, S/o Late Shri Om Prakash Tripathi, aged 59 years, working as : Executive Engineer (C), O/o ADG (WR-II), Central Public Works Department, R/o Trilochan Nagar, E-8, Arera Colony, Bhopal (M.P.) 462001 -Applicant

(By Advocate – Shri Shreyas Dubey)

V e r s u s

1. Union of India through its Secretary, Ministry of Housing and Urban Affairs, Nirman Bhawan, New Delhi – 110001.
2. The Director General, CPWD, Nirman Bhawan, New Delhi – 110001. -Respondents

(By Advocate – Shri Surendra Pratap Singh)

O R D E R (O R A L)

This Original Application has been filed by the applicant against the chargesheet dated 12.12.2018 (Annexure A-7).

2. The applicant was appointed as Junior Engineer in the respondent department in the year 1981 and thereafter he was promoted to the post of Assistant Engineer and further as Executive Engineer in the year 2006. The applicant was posted as Executive Engineer (Civil) in Delhi Aviation Division of

CPWD, New Delhi from 28.10.2017 to 07.08.2018. Thereafter, the applicant was transferred by letter dated 31.07.2018 (Annexure A-1) from New Delhi to Silchur, Assam. The applicant is presently posted at Bhopal. Now, the respondent department has issued a chargesheet to the applicant on 12.12.2018 (Annexure A-7) under Rule 14 of the CCS (CCA) Rules, 1965.

3. The main ground for challenging the chargesheet is that even after issuance of the chargesheet, the Investing Officer and the Presenting Officer were not appointed within the time frame prescribed at Annexure A-9 dated 08.06.2017 (page 82 of the O.A) and it is only after representation of the applicant, they have been appointed at a much delayed time.

4. During the course of argument, learned counsel for the applicant submitted that applicant is due for retirement on 30.09.2019 and he is not pressing for the relief sought in Para 8 (i) of the O.A. He further submitted that the applicant would be satisfied if the respondents are directed to conclude the departmental enquiry in a time-bound manner in view of the instructions issued at Annexure A-9.

5. As per Annexure A-9 dated 08.06.2017, the Government of India, Ministry of Urban Development has prescribed the time limit for completing the disciplinary proceedings. In view of this, I am of the view that prayer of the applicant for concluding the departmental enquiry in a time-bound manner is genuine particularly when he is due to superannuate on 30.09.2019. Therefore, the respondents are directed to conclude the disciplinary proceedings against the applicant as per Annexure A-9 Office Memorandum dated 08.06.2017.

6. Accordingly, the Original Application is disposed of at the admission stage itself. Needless to say that nothing has been expressed on the merits of the case.

**(Ramesh Singh Thakur)
Judicial Member**

am/-