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CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.210/00008/2019

Dated this Tuesday, the 04th day of June, 2019

CORAM: DR. BHAGWAN SAHAI, MEMBER (ADMINISTRATIVE)
R.N. SINGH, MEMBER (JUDICIAL)

Shri MKT Gowda, Age 65 years, Retd.
Sr. Civilian Staff Office, (SCSO),
Kirkee, Pune,
residing at B-02, Harimamta CHS,
Sector 10, New Panvel 410 206. **Applicant**
(By Advocate Shri Vicky Nagrani)

VERSUS

1. Union of India, Through the Secretary,
Ministry of Defence (D Vigilance),
Sena Bhavan, New Delhi 110 011.

2. The Commandant,
Central AFV Depot, Khirki,
Pune 411 003. **Respondents**

(By Advocates Shri V.B. Joshi)

O R D E R (ORAL)

Per: R.N. Singh, Member (Judicial)

Heard both the learned counsels for
the parties.

2. The applicant who has retired while
working as Senior Civilian Staff Officer
under the respondents is aggrieved of the
memorandum of charge-sheet dated 11.06.2014
(Annex A-1) vide which the respondents have
initiated the departmental proceedings

against him in accordance with the provisions of Rules 14 and 15 of the CCS (CCA) Rules, 1965 under the sanction of the President under Rule 9 of the Central Civil Services (Pension) Rules, 1972. In the present OA filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for the following reliefs :-

"8.a. This Hon'ble Tribunal may graciously be pleased to call for the records of the case from the Respondents and after examining the same the impugned Memorandum of Charge-sheet dated 11.06.2014 be quashed and set aside with all consequential benefits.

b. Alternatively this Hon'ble Tribunal may further be please to direct the Respondents to complete the inquiry within 3 months failing which the charges in the charge-sheet dated 11.06.2014 be dropped.

c. Costs of the application be provided for.

d. Any other and further order as this Hon'ble Tribunal deems fit in the nature and circumstances of the case be passed."

3. In response to the notice from this Tribunal, the respondents have though not filed reply, however, Shri V.B.Joshi, learned counsel appearing for the respondents submits under instruction that the respondents are having no objection if the alternative prayer of the applicant as made by him in paragraph

8(b) of the OA and noted herein above is allowed.

4. In the facts and circumstances, without going into the merit of the claim of the applicant, the OA is disposed of with directions to the respondents to complete the proceedings in pursuance of the impugned memorandum dated 11.06.2014 (Annex A-1) in accordance with the relevant rules and instructions on the subject as expeditiously as possible and in any case within three months from the date of receipt of certified copy of this order, of course, subject to the condition that the applicant shall fully cooperate in the said departmental proceedings. No costs.

(R.N. Singh)
Member (Judicial)

(Dr. Bhagwan Sahai)
Member (Administrative)

*kmg**

JD
07/6/19

