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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No.281 of 2003

This the 5th day of February, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman  
Hon'ble Shri S.K. Malhotra, Member (A)

Shri S.S. Chwala  
S/o Late Shri H.S. Chawla  
P/80/23A, Malviya Nagar,  
New Delhi -17.

....Applicant

(By Advocate : Shri K.P. Sunder Rao)

Versus

1. The Chief Secretary,  
Govt. of N.C.T. of Delhi.  
Delhi Secretariat,  
I.P. Estate,  
New Delhi-110002.
2. The Secretary  
Irrigation and Flood Control Department  
Govt. of N.C.T. of Delhi.  
5/9, Underhill road,  
Delhi.

...Respondents

ORDER (ORAL)

Shri Justice V.S. Aggarwal, Chairman :

By virtue of the present application, applicant, Shri S.S. Chawla seeks that respondents should be directed to issue the regular promotional order to him as Executive Engineer on regular basis, as the same has been withheld on account of the departmental proceedings that were pending against him.

2. The applicant contends that in the departmental proceedings, the inquiry officer has already submitted his report exonerating the applicant. The said report had been submitted in October 2002. No further action has been taken till date.


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3. In that view of the matter, at this stage, it would not be appropriate to go into the main prayer and we also deem it unnecessary to issue any show cause notice to the respondents while disposing the present application.

4. It is directed that the case of the applicant in this regard should be considered and a decision taken as to if the inquiry officer's report has to be accepted or not and other action is called for. It is further directed that the disciplinary authority i.e. respondent No.1 would consider and pass an appropriate order, preferably within four months from the date of receipt of the certified copy of the present order.

5. By way of abundant caution, we make it clear that nothing said herein should be taken as an expression of opinion on the merits of the present case.

6. Subject to aforesaid, the present OA is disposed of at the admission stage itself.

  
(S.K. Malhotra)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

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