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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.345/2003

New Delhi, this the 17th day of February, 2003

Hon'ble Dr. A. Vedavalli, Member(J)
Hon'ble Shri A.P. Nagrath, Member(A)

Shri P.D. Sharma
S/o Shri Pritam Singh,
R/o 31, New Shah Ranj
Agra, UP

.. Applicant

(By Advocate : Shri S.K. Gupta, learned proxy counsel
for Shri B.S. Gupta)

versus

Union of India, through

1. Secretary
Ministry of Culture
Shastri Bhavan, New Delhi
2. Director General
Archeological Survey of India
Janpath, New Delhi
3. Chief Horticulturist
Archeological Survey of India
Taj Mahal, Agra

.. Respondents

ORDER (Oral)

Dr. A. Vedavalli, Member(J) :-

Heard.

2. The applicant - Shri P.D. Sharma is aggrieved by the non-finalisation of the disciplinary proceedings in spite of the fact that the chargesheet was issued to him on 4.10.1999 (Annexure A-1) and Enquiry Officer was appointed on 9.12.2000 (Annexure A-3). Learned counsel for the applicant submits that Enquiry Officer was again changed on 10.9.2001 (Annexure A-4) and till now no inquiry has been initiated nor completed against the applicant in spite of representations submitted by him (Annexure A-5 (Colly.)) and that the applicant is suffering from mental harassment due to this fact.

3. He seeks the following reliefs in this OA:-

- "(i) to direct the respondents to complete the inquiry which has been initiated by the



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charge sheet dated 4.10.1999 (Annexure A-1)
in accordance with law"

- (ii) to pass such other and further order which
this Hon'ble Tribunal may deem fit and
proper."


4. Learned counsel for the applicant states that the
applicant will be satisfied, if the OA is disposed of at
the admission stage with a direction to the respondents
to complete the disciplinary proceedings within a
particular time frame to be fixed by the Court.


5. In the facts and circumstances of the case and on
a consideration of the matter, we are of the view that
the interests of justice will adequately be met by
disposing of the OA at the admission stage itself with
the following directions:-

The respondents are directed to look into the
matter and complete the disciplinary proceedings pending
against the applicant in the light of the relevant rules,
instructions and judicial pronouncements on the subject
in accordance with law within six months from the date of
receipt of a copy of this order.

6. Registry is directed to send a copy of this OA
alongwith this order to the respondents.

7. OA is disposed of as above.


(A.P. Nagrath)
Member(A)


(Dr. A. Vedavalli)
Member(J)

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