

2

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.2665/2003

Wednesday, this the 5th day of November, 2003

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

Shri V.K.Khanna
s/o Shri K.C.Khanna
r/o 209/2-B, Padam Nagar, Delhi-7

..Applicant

(By Advocate: Shri S.K.Gupta)

Versus

Govt. of NCT of Delhi
through Chief Secretary
Delhi Secretariat
Pillar Bhawan, IP Estate, New Delhi-2

..Respondent

O R D E R (ORAL)

Shri Justice V.S.Aggarwal:

The applicant is an Assistant Accounts Officer in the Government of National Capital Territory of Delhi. In contemplation of disciplinary proceedings, the applicant had been placed under suspension on 22.9.1999. He had submitted his representation and it is the claim of the applicant that on 2.11.2000, he was reinstated in service without prejudice to the disciplinary proceedings which were mentioned to be pending against him.

2. By virtue of the present application, he seeks that a conscious decision should be taken with respect to the disciplinary proceedings which should either be dropped or concluded.

3. To our query, learned counsel for applicant informed us that till date the charge-sheet has not been served and, therefore, the question of completing the disciplinary proceedings does not arise. He complained

LS Aggarwal

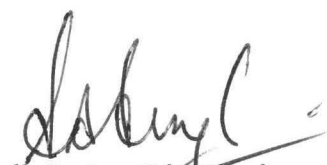
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(2)

that from the date he was suspended, four years have expired and while the charge-sheet has not been served, the applicant is not even being considered for promotion.

4. At this stage, when rights of the respondents are not likely to be affected, we deem it unnecessary to issue a show cause notice while disposing of the present application.

5. It is directed that in case any disciplinary proceedings are to be initiated, in that event, the charge-sheet should be served within one month and proceedings should be completed within six months from the date of receipt of a copy of this order OR a conscious decision should be taken as to what steps the respondents intend to take in this regard preferably within the above-said period.

6. Subject to aforesaid, OA is disposed of. We make it clear that we are not expressing ourselves on the merits of the matter.


(S.A. Singh)
Member (A)

/sunil/


(V.S. Aggarwal)
Chairman