

**Central Administrative Tribunal
Principal Bench**

**CP No.441/2019
OA No.4214/2018**

New Delhi, this the 25th day of November, 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Dr. S. H. Sawarkar, Group A,
Aged 58 years, S/o Shri H. M. Sawarkar,
Presently working as Assistant Professor,
College of Art, Government of NCT of Delhi,
20-22, Tilak Marg, New Delhi – 110001.
And resident of House No. S-2, A-31/7,
Sector 2, Vaishali, Ghaziabad – 201010.
(Uttar Pradesh).

.... Petitioner

(By Advocate : Mr. K. S. Chauhan, Mr. Ajit Kumar Ekka
and Mr. R. S. M. Kalky)

Vs.

1. Shri Vijay Kumar, IAS,
Principal Secretary to Lt. Government of Delhi,
Raj Niwas Marg, Delhi – 110007.
2. Shri Sheo Pratap Singh, IAS,
Principal Secretary,
Department of Training and Technical
Education, Govt. of NCT of Delhi,
Delhi Secretariat,
New Delhi – 110002.
3. Smt. Gitanjali Gupta, IAS,
Director, Directorate of Vigilance,
Govt. of NCT of Delhi,
Delhi Secretariat, I.P. Estate,
New Delhi – 110002.

... Contemnor/Respondent

(By Advocate : Mr. Amit Anand, Ms. Avnish Ahlawat and
Mr. N. K. Singh)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman :

The applicant is facing Disciplinary proceedings. In that connection he approached this Tribunal by filing OA No. 4214/2018. That was disposed of on 14.11.2018, directing the respondents to conclude the proceedings by 31.03.2019. This CP is filed alleging that the respondents did not conclude the proceedings as directed in the OA.

2. On behalf of respondents a counter affidavit is filed. It is stated that though the proceedings were taken up in the right earnest, the applicant went on creating one obstruction or the other. It is stated that the report of the IO was submitted and the applicant was furnished a copy thereof to enable him to file a reply.

3. We heard Mr. K.S. chauhan, Mr. Ajit Kumar Ekka and Mr. R. S. M. Kalky, learned counsel for the applicant and Mr. Amit Anand, Ms. Avnish Ahlawat and Mr. N. K. Singh, learned counsel for the respondents.

4. The direction issued in the OA was to conclude the proceedings by 31.03.2019. A rider was added to the effect that the applicant shall cooperate in the enquiry. In the counter affidavit the respondents stated that the applicant went on creating one obstruction or the other. The fact

remains that the enquiry report was submitted on 23.10.2019 and the applicant was issued memorandum dated 01.11.2019 enabling him to submit his representation to the same. It is obvious that the proceedings are nearing completion.

5. We direct the DA to pass final order within a period of 01 month duly taking into account the explanation which the applicant may submit. The CP is closed accordingly.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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