
(2021) 07 CAT CK 0035

In the Central Administrative Tribunal

Case No : Original Application No. 1312 Of 2021, Miscellaneous Application No. 1672 Of 2021

Mange Lal

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 26-07-2021

Acts Referred:

Central Civil Services (Pension) Rules, 1972 — Rule 9

Citation : (2021) 07 CAT CK 0035

Hon'ble Judges : L. Narasimha Reddy, J; A.K. Bishnoi, Member (A)

Bench : Division Bench

Advocate : S.K. Gupta, R.V. Sinha, Manjeet Singh Reen

Final Decision : Disposed Of

Judgement

L. Narasimha Reddy, J

(Through Video Conferencing)

1. The applicant retired as Notice Server in the Central Board of Direct Taxes (CBDT). Disciplinary proceedings were initiated against him under

Rule 9 of the Pension Rules by issuing a charge memo dated 30.03.2016. The inquiry Officer submitted his report on 15.03.2018. The applicant has

also submitted his remarks to the report of the Inquiry Officer. The grievance is that the proceedings are not completed and on account of that, his

retirement benefits are withheld.

2. Learned counsel for the respondents filed reply stating that the proceedings could not be finalized due to the sad demise of the Disciplinary

Authority and that the new incumbent is considering the matter.

3. Today we heard Mr. S.K. Gupta, learned counsel for the applicant and Mr. R.V.

Sinha & Mr. Manjeet Singh Reen, learned counsel for the respondents.

4. The only grievance of the applicant is about the delay in concluding the disciplinary proceedings. It appears that the delay was on account of the sad demise of the disciplinary authority. Now that another incumbent has already taken charge, we direct the disciplinary proceedings be concluded within a period of three months from the date of receipt of a copy of this order.

5. The O.A. is accordingly disposed of. There shall be no order as to costs. Pending MA also stands disposed of.