

(2022) 06 CAT CK 0035

In the Central Administrative Tribunal

Case No : Original Application No. 1644 Of 2022

Satvinder Shah Kaur-II

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 17-06-2022

Acts Referred:

Administrative Tribunals Act, 1985 — Section 19

Central Civil Services (Classification, Control And Appeal) Rules, 1965 — Rule 14

Citation : (2022) 06 CAT CK 0035

Hon'ble Judges : R.N. Singh, Member (J)

Bench : Single Bench

Advocate : Ajesh Luthra, R.S. Rana

Final Decision : Disposed Of

Judgement

R. N. Singh, Member (J)

1. In the present OA, filed under Section 19 of the Administrative Tribunals Act, 1985 the applicant has challenged the office memorandum dated 15.02.2018 (Annexure A-1) vide which disciplinary proceedings were initiated against the applicant under Rule 14 of Central Civil Services (Classification, control and Appeal) Rules 1965. Learned counsel for the applicant submits that pursuant to the aforesaid proceedings, the inquiry officer vide communication dated 08.05.2019 informed that he has completed the inquiry and submitted the report in this regard. However, till date, the applicant has not been provided a copy of the said inquiry report and/or any decision of the competent authority in the matter. He further submits that the applicant has been suffering from cancer and is undergoing treatment for the last several years. He further said that the pending inquiry is also in violation of the law laid down by the Hon'ble Apex Court in Civil Appeal No.958/2010 Prem Nath Bali vs. Registrar.

2. Issue notice. Mr. R.S. Rana, learned Senior Central Government counsel, who appears for respondents on advance service, accepts notice.

3. At this stage, Mr. Ajesh Luthra, learned counsel for the applicant submits that the applicant shall be satisfied if the present OA is disposed of with direction to the respondents to finalise the aforesaid inquiry proceedings by passing an appropriate order, in accordance with law, in a time bound manner.
4. Learned counsel for the respondents seeks two weeks' time to file reply/short reply. However, I am of the considered view that if the request made on behalf of the applicant for a direction to the respondents to decide the matter in a time bound manner is accepted, no prejudice is likely to be caused to the respondents.
5. In view of the aforesaid facts and circumstances, without going into the merits, the present OA is disposed of with direction to the respondents to consider and pass a final order, pursuant to the impugned office memorandum dated 15.02.2018, as expeditiously as possible and preferably within eight weeks from the date of receipt of a copy of this order.
6. The OA is disposed of in the aforesaid terms. There shall be no order as to costs.