

Party Name : ALINDRA DEBBARMA Vs THE STATE OF TRIPURA & 3 ORS

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THE HONBLE MR. JUSTICE S.C.DAS

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Heard learned counsel Mr. D. Deb for the petitioner and learned counsel Ms. R. Guha for the State-respondents.

By a Memo dated 13.01.2012, the Principal Secretary, Govt. of Tripura, Education (School) Department, the disciplinary authority initiated a departmental proceeding against the petitioner on 6(six) article of charges. By order of disciplinary authority, Dr. K. D. Saha was appointed as the Inquiring Officer and the inquiry is still pending. It is submitted by Mr. Deb, learned counsel that the Joint Director (School Education) informed the Inquiring Officer to keep the disciplinary proceeding pending till appointment of new Presenting Officer since the earlier Presenting Officer was absent and was not in a position to conduct the case.

Though in the writ petition the petitioner prayed for numerous other reliefs but at this stage the petitioner only prayed for a direction for early disposal of the disciplinary proceeding.

Learned counsel Ms. Guha has submitted that the disciplinary authority is also keen to complete the disciplinary proceeding at an early date but because of the difficulty in supplying the copies of the documents, it has been delayed. Regarding supply of copies of the documents, it may be noted that the Charged Officer is entitled to get copies of documents on which the disciplinary authority relied. If the documents are voluminous then according to rules, the Inquiring Authority may ask the Charged Officer to inspect those documents within a time fixed. An abnormal time has already been consumed since the disciplinary proceeding has been initiated against the petitioner. The proceeding initiated in 2012 is still pending and it is the beginning of 2015. So, the disciplinary authority is directed to complete the departmental inquiry/proceeding initiated against the petitioner within 6(six) months from today failing which, it should be presumed that the disciplinary proceeding has been closed.

With this direction, the writ petition stands disposed of.

Copy of this order may be supplied to the learned counsel of both side.