

Party Name : BIPLAB DATTA Vs THE STATE OF TRIPURA & ORS

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THE HONBLE MR. JUSTICE S.C.DAS

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Heard learned counsel, Mr. S. Bhattacharji for the petitioner and learned Addl. Government Advocate, Ms. A. S. Lodh for the State-respondents.

It is submitted by Mr. Bhattacharji, learned counsel for the petitioner that by Memo dated 08.02.2008 (Annexure-P/1 to the writ petition) a disciplinary proceeding was initiated against the petitioner and the inquiry report dated 23.04.2012 (Annexure-P/12) has been submitted by the inquiry officer before the disciplinary authority, but till today no action has been taken by the disciplinary authority on the inquiry report in spite of several representations made by the petitioner. It is also submitted by Mr. Bhattacharji, learned counsel that the petitioner's promotional prospect may be sealed in view of the pendency of the disciplinary proceeding without any action. Learned counsel, therefore, prayed for passing an appropriate order directing the respondents to conclude the disciplinary proceeding within a fixed period of time.

Learned Additional Government Advocate fairly concedes that in the circumstances a reasonable direction may be given by the Court.

Since inquiry on the charges has already been made and the inquiry officer submitted the report to the disciplinary authority on 23.04.2012, I do not understand why the disciplinary authority sitting over the inquiry report for such a long time.

The disciplinary authority is, therefore, directed to conclude the disciplinary proceeding, passing appropriate order according to law within three months from today.

Since the petitioner did not insist on other issues raised in the writ petition, it shall remain open for the petitioner to agitate in future in case of necessity and this order shall remain confine to the conclusion of disciplinary proceeding within time frame.

With this consent order, the writ petition stands disposed of.