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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9508/2016**

VIVEK KANT SRIVASTAVA Petitioner

Through: Mr. Rajat Aneja and Ms. Rashmi
Verma, Advocates.

Versus

BUREAU OF INDIAN STANDARDS & ANR. Respondents

Through: Mr. B.K. Sood and Mr. Harish Gaur,
Advocates for R-1.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **03.11.2017**

CM APPL. No. 36016/2017

This application seeks modification/clarification of this Court's order dated 07.10.2016, which has reproduced Clause 16 of CCS(CCA) Rules pertaining to the "Procedure for imposing minor penalties". Thereafter, it has also referred to a subsequent sub-clause, which reads as under:-

"the competent authority can change the headquarters of the petitioner of a government servant under suspension if it is in public interest."

The learned counsel for the applicant argues that aforesaid quote refers to sub-Rule (2) of Rule 16 of Chapter 2 of CCS(CCA) Rules which pertains to "Headquarters during suspension" and not to the earlier quoted Clause 16 regarding "Procedure for imposing minor penalties" which is to

be found in Chapter-I Part IV – Procedure for Imposing Penalties.

Mr. Aneja, the learned counsel for the non-applicant/petitioner submits that the correct provision apropos the change of the headquarters of a government servant under suspension reads as under:-

“The competent authority can change the headquarters of a Government servant under suspension if it is in public interest.”

He agrees that the aforesaid sub-clause pertains to the “Headquarters during suspension” under Rule 16 sub-Rule (2) of Chapter 2 of the CCS(CCA) Rules and concedes that the application may be so allowed.

In the aforesaid circumstances, the order dated 07.10.2016 stands modified to the extent that the aforesaid quote shall be read to be from sub-Rule 2 of Rule 16 of Chapter 2 of the CCS(CCA) Rules.

The application is allowed in the above terms.

NAJMI WAZIRI, J.

NOVEMBER 03, 2017/acm/sb