

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

Date of decision: 04 December, 2017

+ W.P.(C) 10751/2017 & C.Ms. 44020-21/2017

DR. KANURY V. S. RAO Petitioner

Through: Mr. S.N. Kar & Mr. P.K. Kar,
Advocates

Versus

UNION OF INDIA AND ORS. Respondents

Through: Mr. Vinod Diwakar, CGSC,
Mr. Akshay Aggarwal & Mr. Sanjay Pal,
Advocates for respondents No.1 & 2

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

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1. In this petition, challenge by petitioner is to the *Complaint*, '*Memorandum of Charge*' of 20th June, 2017 and entire inquiry proceedings. In the departmental inquiry conducted against the petitioner, it is found that charges leveled against him in the '*Memorandum of Charge*' of 20th June, 2017 stand proved. As a consequence thereof, Memorandum of 9th October, 2017 (*Annexure P/1*) has been served upon petitioner, to which he has filed a reply of 6th November, 2017 (*Annexure P/18*).

2. In view of above, the challenge to the Complaint, the charges framed and the inquiry proceedings need not be gone into, as petitioner

has already responded to the Memorandum of 9th October, 2017 (*Annexure P/1*).

3. At this stage, petitioner's counsel submits that he has not heard anything from the respondents regarding passing of any penalty order and seeks four weeks' time to supplement reply of 6th November, 2017 (*Annexure P/18*).

4. In the facts and circumstances of this case, it is made clear that if the disciplinary authority has not already passed a penalty order consequent upon the inquiry in question, then four weeks' time be granted to petitioner to supplement the reply of 6th November, 2017 (*Annexure P/18*) and it is expected that the disciplinary authority shall consider the reply as well as supplementary reply (*to be so filed*) and thereafter proceed further, strictly in terms of applicable rules and regulations.

5. With aforesaid directions, this petition and applications are disposed of, while refraining to comment upon the merits of the case.

6. A copy of this order be given *dasti* to counsel representing both the sides.

नित्यमेव जयते

(SUNIL GAUR)
JUDGE

DECEMBER 04, 2017

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