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

% *Date of Order: March 12, 2018*

+ **W.P.(C) 2242/2018 & CM No.9246/2018**

KALYAN SINGH Petitioner

Through: Mr.Baneh Kumar Sinha, Advocate and
Ms.Pratibha Sinha, Advocate

versus

INDIAN OIL CORPORATION LTD & ORS Respondents

Through: Mr.S.Sirish Kumar, Advocate

CORAM:

HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Consequent upon a departmental inquiry, a finding has been returned that the Transfer Certificate of 8th Class submitted by petitioner is not genuine and vide impugned Communication of 30th January, 2018, petitioner has been granted a week's time to submit his Reply to the Inquiry Report (*Annexure P-1 colly.*). Learned counsel for petitioner claims that petitioner had sought extension of time till 28th February, 2018 to submit a reply, but till date, no reply has been submitted. Reliance is placed upon Standing Orders (*Annexure P-3*) to submit that there is no provision in it, which permits continuation of the inquiry proceedings after retirement of an employee. It is asserted that petitioner had retired on 28th February, 2017 and so continuance of inquiry against petitioner is bad in law. No document

has been placed on record to show that discontinuation of the inquiry was sought by petitioner while relying upon Standing Orders (*Annexure P-3*).

2. In the facts and circumstances of this case, it is deemed appropriate to dispose of this petition with permission to petitioner to now file a Reply to the impugned Communication of 30th January, 2018 within a week and if it is so done, then the second respondent shall look into the said reply and thereafter proceed with the matter if not already done. In case petitioner's Reply is not accepted, then the reasons for not accepting the reply be conveyed to petitioner so that petitioner may avail of the remedy, as available in law, if need be.

3. With aforesaid directions, this petition and the application are disposed of.

Dasti.

(SUNIL GAUR)
JUDGE

MARCH 12, 2018

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