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

+ W.P.(C) 6285/2018 & C.M. No. 24228/2018

MR. ANIL KUMAR Petitioner
Through: Mr. Ravinder Agarwal, Advocate.

versus

UNION OF INDIA AND ANR. Respondents
Through: Mr. Abhay Prakash Sahay, CGSC with
Mr. Suraj Kumar, Advocate.

CORAM:

HON'BLE MS. JUSTICE HIMA KOHLI

HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER

% **31.05.2018**

1. The present petition has been listed in Court subject to an office objection raised by the Registry with regard to non-impleadment of Border Road Organisation (in short '**BRO**'), where the petitioner is working on the post of Chief Engineer (Project).
2. Learned counsel for the petitioner states that he was under a *bonafide* impression that since BRO falls under the Ministry of Defence, it is not necessary to implead BRO separately.
3. The petitioner is directed to implead BRO as a co-respondent in the present petition, as admittedly he is working in the said organisation. Amended memo of parties shall be filed within two days.
4. The limited relief prayed for in the present petition is for issuing directions to the respondents to finalize the departmental proceedings arising

W.P.(C) 6285/2018

Page 1 of 2

out of a Memorandum of Charge dated 03.5.2011, pending against the petitioner.

5. Learned counsel for the petitioner states that the enquiry proceedings against the petitioner were concluded on 08.5.2015. Thereafter, the matter was referred by the Ministry of Defence to the Central Vigilance Commission for its second stage advice, on 20.10.2016. The said advice was given on 29.12.2016. The Ministry then referred the case to the DoPT for its advise, but the same has not been received back so far. Hence, the present petition.

6. In view of the limited relief prayed for in the present petition, it is deemed appropriate to dispose it of at the stage of admission itself, while issuing directions to the respondents to finalize the departmental proceedings, pending against the petitioner ever since 03.5.2011, within six weeks from today.

7. It is made clear that no further extension shall be given to the respondents beyond the timeline given above, as it has already taken them three years to take a view on the inquiry report submitted to the Competent Authority.

8. The petition is disposed of along with the pending application.

DASTI to the counsel for the respondents under the signatures of the Court Master.

HIMA KOHLI, J

PRATIBHA RANI, J

MAY 31, 2018/ap
W.P.(C) 6285/2018

Page 2 of 2