

\$~

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

28

+ **W.P.(C) 10329/2019 & CM 42629/2019**

VIRENDER KUMAR MEENA Petitioner

Through: Ms Anjana Gosain, Ms Shalini Nair
and Mr V. Shashank, Advocates.

versus

RAILWAY PROTECTION FORCE AND ANR Respondents

Through: Mr Rajan Sabhrawal with Ms Dipti
Jain and Ms Bhavya, Advocates.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE TALWANT SINGH

ORDER

%

21.11.2019

1. On 23rd September, 2019, the following order was passed by this Court:

“2. Notice limited to the question of the fresh charge sheet served upon the Petitioner on 19th August, 2019 being enquired into and disposed of in a time bound manner.

3. Mr. Rajan Sabharwal, Advocate, accepts notice for the Respondents. The Respondents are directed to file by the next date an affidavit indicating the precise time schedule so that the entire enquiry process is completed not later than 6 months from today.

4. List on 21st November, 2019. Meanwhile, the enquiry will proceed in accordance with law.”

2. In response to the order dated 23rd September 2019, Mr Sabhrawal, learned counsel for the Respondents, has produced a noting in Hindi addressed to him by the Assistant Security Commissioner, RPF, HQ, Delhi Division, stating that subject to availability of records, the enquiry will get

completed within a period of three months. Mr Sabhrawal states that some part of the relevant record is available with the printing press of the Respondents at Punjabi Bagh, New Delhi. He, however, states that it is entirely under the control of the Respondents themselves.

3. In that view of the matter, the Court directs that the enquiry against the Petitioner should be completed, under all circumstances, not later than four months from today. In other words, it should be completed no later than 23rd March, 2020. This is, of course, subject to the Petitioner fully cooperating in the enquiry and appearing on every date fixed by the Enquiry Officer ('EO'). It is up to the Respondents to ensure that all the records for the enquiry are made available to the EO so as to enable him to complete the enquiry within the timeframe set by this Court. It will be no excuse that the enquiry could not be concluded due to unavailability of records. The report of the EO be furnished to the Petitioner not later than 31st March 2020, for further steps in accordance with law.

4. The petition is disposed of in above terms. Pending application is also disposed of. No costs.

S. MURALIDHAR, J.

TALWANT SINGH, J.

NOVEMBER 21, 2019/rd