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

% Date of decision: 22.07.2021

+ **W.P.(C) 6464/2021, CM 20339/2021**

UNION OF INDIA & ORS.

.....Petitioners

Through: Mr. Ajay Digpoul, CGSC, Ms. Arti Bansal and Mr. Jitendra Kumar Tripathi, Advocates.

versus

MR RAJNISH KUMAR

.....Respondent

Through: Mr. Mukti Bodh, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAJIV SHAKDHER

HON'BLE MR. JUSTICE TALWANT SINGH

RAJIV SHAKDHER, J.: (ORAL)

[Court hearing convened via video-conferencing on account of COVID-19]

1. This writ petition is directed against the orders dated 30.10.2018 and 17.01.2019 passed by the Central Administrative Tribunal (in short 'the Tribunal') in O.A. No.2130/2018.

1.1. Ms. Arti Bansal, who appears on behalf of the petitioners, says that the impact of the impugned interlocutory orders passed by the Tribunal is that the petitioners are not able to continue with the disciplinary proceedings.

1.2. According to Ms. Arti Bansal, a charge memo has been served on the respondent.

1.3. To be noted, there is no dispute about the fact that the Internal Complaint Committee (ICC) has rendered an inquiry report *qua* the respondent, concerning the allegation made against him by a female

employee engaged with the National Film Development Corporation Limited (NFDC). The allegation made by the complainant is that she was subjected to sexual harassment by the respondent. The ICC submitted the enquiry report, in this behalf, on 23.02.2018.

2. Mr. Mukti Bodh, who appears on behalf of the respondent, says that the respondent has challenged, before the Tribunal, the complaint, dated 01.11.2017, and the aforementioned inquiry report, dated 23.02.2018.

2.1. Besides this, Mr. Bodh says that, the consequential orders, issued by the petitioner nos. 1 to 3, have also been challenged before the Tribunal.

3. Having regard to the fact that the Tribunal is seized with the main matter, we are inclined to dispose of the writ petition with a request to the Tribunal to dispose of the pending application, i.e., O.A. No.2130/2018, titled '*Rajnish Kumar v. Union of India & Ors.*' at the earliest, though not later than six weeks from the date of receipt of a copy of this judgement.

4. It is ordered accordingly. Pending application shall also stand closed.

RAJIV SHAKDHER, J

TALWANT SINGH, J

JULY 22, 2021

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[Click here to check corrigendum, if any](#)