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Cont.P.No.1896 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Contempt Petition No.1896 of 2022

V.S.Sundararajan

.. Petitioner

Vs.

Mukesh Sundriyal
The Under Secretary to Government of India,
Ad-V Section, Office of the Chief Vigilance Officer,
Central Board of Indirect Taxes and Customs,
Department of Revenue,
Ministry of Finance,
Union of India
6th Floor, Hudco Vishala Building,
Bhikaji Cama Place,
New Delhi – 110 066.

.. Respondent

Prayer: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for the willful disobedience of the order dated 04.02.2019 passed by this Court made in W.P.No.25525 of 2018.

For Petitioner : No Appearance

For Respondent : Mr.Rajnish Pathiyil
Senior Panel Counsel



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ORDER

(Order of the Court was delivered by V.M.VELUMANI, J.)

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The present contempt petition is filed to punish the respondent for the willful disobedience of the order dated 04.02.2019 passed by this Court made in W.P.No.25525 of 2018.

2. Mr.Mukesh Sundriyal, Under Secretary (NC-II and CC) CBIC, Department of Revenue, Government of India, New Delhi, appeared before this Court and his personal appearance is dispensed with.

3. This Court by the order dated 04.02.2019 disposed of the writ petition by directing the respondent to permit the petitioner to produce the necessary material (Documentary Evidence) on his side and permit him to let in oral and documentary evidence, if he so desire and proceed the disciplinary proceedings as per law and conclude the same within three months from the date of receipt of a copy of the order.

4. The learned Senior Panel Counsel appearing for the respondent submitted that the respondent filed W.M.P.No.28015 of 2019 seeking



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extension of time for concluding the disciplinary proceedings. This Court by the order dated 21.11.2019 granted three months time. In view of the subsequent lock down due to Covid-19 pandemic situation, the respondent could not complete the enquiry proceedings and filed two petitions for extension of time for concluding the disciplinary proceedings. Pending the said petitions, the respondent concluded the enquiry proceedings and Enquiry Officer filed a report stating that charges against the petitioner were partly proved. The Disciplinary Authority by relying on the report of the Enquiry Officer, decided to drop the further proceedings. The respondent also filed an affidavit explaining the reason for delay. The said affidavit is taken on record. Hence, no further orders are necessary.

5. In view of compliance of the order of this Court, the Contempt Petition is closed.

(V.M.V., J) (R.H., J)
12.12.2022

Index : Yes / No
Internet : Yes / No

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V.M.VELUMANI, J.
and
R.HEMALATHA, J.

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