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W.P. No.28441 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR. JUSTICE P.DHANABAL

W.P. No.28441 of 2023
and WMP.No.27991 of 2023

1. The Union of India,
Rep. by the Chairman,
Central Board of Indirect Taxes and Customs,
North Block, New Delhi 110 01.
 2. The Secretary,
Central Board of Indirect Taxes and Customs,
6th Floor, Hudco Vishala Building,
Bhikaji Cama Place, R.K.Puram,
New Delhi 110 066.
 3. The Principal Chief Commissioner of GST & Central Excise,
26/1, Mahatma Gandhi Road,
Chennai 600 034.
 4. The Commissioner of GST & Central Excise,
No.1, Williams Road, Cantonment,
Trichy 620 001.
- .. Petitioners

Versus

1. The Registrar,
Central Administrative Tribunal,
Chennai Branch, Chennai.
 2. S.Anbalagan
- .. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari, calling for the records on the files of the 1st respondent in its impugned proceedings made in OA/305/2023, dated 20.07.2023 and quash the same.

For petitioner : M/s.R.Hemalatha

For respondents

for R1 : Tribunal

for R2 : No Appearance

ORDER

(The Order of the Court was made by D.KRISHNAKUMAR, J)

This Writ Petition is filed to quash the impugned proceedings of the first respondent in OA/305/2023, dated 20.07.2023.

2. Despite service of notice on the second respondent and his name being printed in the cause list, none appears for him.



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3. The second respondent while working in the petitioner Department issued with a charge memo on 04.05.2011. Pending disciplinary proceedings, he retired from service on 31.01.2012. Though Inquiry officer submitted his report on 20.12.2013, final decision had not been taken by the Department. Hence, he filed OA.No.305 of 2023 seeking direction to the petitioners herein to finalise the disciplinary proceedings. The Tribunal by order dated 20.07.2023 directed the petitioners herein to take a final decision on the proceedings pending before the disciplinary authority within a period of one month. Aggrieved over the same, the present petition has been filed.

4. Though the petitioner prayed for a larger relief of quashing the proceedings of the Tribunal, at the time of hearing, the learned counsel for petitioners restricted her prayer to grant extension of time for concluding the disciplinary proceedings as directed by the Tribunal.

5. Considering the submission now made by the learned counsel for the petitioners, this Court extends a period of three months to conclude the



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Departmental Proceedings by following the procedures as contemplated under the Rules. It is made clear that no further extension will be granted.

6. With the above direction, the Writ Petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

[D.K.K., J] [P.D.B., J.]
13.10.2023

Speaking order: Yes/No
Index : Yes/No
pvs

To
The Registrar,
Central Administrative Tribunal,
Chennai Branch, Chennai.



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D.KRISHNAKUMAR, J.
and
P.DHANABAL, J.

pvs

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