

dated 25.07.2017 by the Inquiry Officer to the Disciplinary Authority, however, since then, though a considerable period of more than 6½ years has elapsed, no final decision has been taken. It is submitted by the learned Counsel for the Petitioner that because no final decision in the disciplinary proceedings has been taken, the Petitioner has been deprived of various service benefits including promotion to the next higher post and the benefit of the Modified Assured Career Progression scheme.

3. Admittedly, the chargesheet was issued to the Petitioner on 23.08.2013 and the Inquiry Officer was also appointed on 24.04.2014, who concluded his enquiry on 25.07.2017 and submitted the report thereof to the Disciplinary Authority.

4. Keeping the disciplinary proceedings pending for such a long period, that too, on conclusion of the enquiry report, cannot be approved of on any count, whatsoever. Such prolonged pendency of the disciplinary proceedings is neither in the interest of the Department nor in the interest of the employee concerned, who on account of inordinate delay on the part of the employer gets demoralized.

5. In the aforesaid view of the matter, we dispose of this Writ Petition with a direction to the Town and Country Planning Authority to take a final decision on the matter, positively within a period of six weeks from today. Dependent on the outcome of the final decision in the disciplinary proceedings, the claim of the Petitioner for further promotion, grant of benefit of the Modified Assured Career Progression scheme and all other service benefits,

shall be considered within six weeks thereafter and the Petitioner shall be given such benefits for which he may be legally and as per Rules entitled. We make it clear that this Court has not made any observations as to the merits of the claim of either of the parties in respect of the correctness or otherwise of the charges.

(M. S. SONAK, J.)

(CHIEF JUSTICE)

VAIGANKAR
ESHA SAINATH

Digitally signed by
VAIGANKAR ESHA SAINATH
Date: 2024.01.09 18:13:59
+05'30'