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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 1705/2024

GOVT OF NCT OF DELHI AND ORS

..... Petitioners

Through: Ms.Avnish Ahlawat, SC, GNCTD
with Ms.Tania Ahlawat, Mr.N.K.Singh,
Ms.Laavanya Kaushik, Ms.Aliza Alam &
Mr.Mohnish Sehrawat, Advs.

versus

NAVEEN JAKHAR

..... Respondent

Through: Mr.M.K.Bhardwaj, Ms.Priyanka M
Bhardwaj, Mr.Arun Prakash & Ms.Maria M.K.,
Advs.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

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06.02.2024

CM APPL. 7016/2024

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 1705/2024 & CM APPL. 7015/2024 (stay)

3. The present petition under Articles 226 & 227 of the Constitution of India seeks to assail the order dated 29.05.2023 passed by the learned Central Administrative Tribunal (Tribunal) in O.A. No.4534/2015. Vide the impugned order, the learned Tribunal has allowed the OA preferred by the respondent/applicant by holding that the petitioners had given a complete go bye to the procedure laid down in the CCS (CCA) Rules particularly Rules 14 & 15. Consequently, while setting



aside the penalty imposed on the respondent, the learned Tribunal has granted liberty to the petitioners to decide as to whether they desire to proceed with further enquiry against the respondent as per the laid down procedure. It was further directed that if such a decision is taken, the same should be communicated to the respondent within a period of one month from the date of receipt of the copy of the order and the further proceeding, if initiated, be concluded within a period of three months.

4. After some arguments, learned counsel for the petitioners fairly submits that instead of pressing the present petition, the petitioners will take action as per the liberty granted by the learned Tribunal.
5. In the light of the aforesaid stand taken by the petitioners, while disposing of the petition as not pressed, we are granting the petitioners one month's time to take a considered decision as directed by the learned Tribunal and six months time to complete the proceedings in case they desire to hold further proceedings against the respondent. Needless to state, this would be subject to the respondent cooperating with the departmental proceedings.
6. It is, however, made clear that this Court has not expressed any opinion on the merits of the petitioners' claim.

REKHA PALLI, J

RAJNISH BHATNAGAR, J

FEBRUARY 6, 2024/kk