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

+ **W.P.(C) 11132/2024**

N M TRIPATHI

.....Petitioner

Through: Ms. Roopam Rai along with Mr.
N.M. Tripathi, Advocates

versus

**TRIBAL CO-OPERATIVE MARKETING FEDERATION OF
INDIA TRIFED AND ORS.**

.....Respondents

Through: Mr. T.P. Singh, Senior Central
Government Counsel with Mr. Ashish Rawat,
Government Pleader and Mr. Hari Krishan Badal,
Advocates for R-2.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

12.08.2024

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CM APPL. 46022/2024

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This writ petition has been preferred on behalf of the Petitioner seeking a limited direction to Respondent No.1/Tribal Co-operative Marketing Federation of India (TRIFED) for disposal of the appeal dated 10.09.2014 pending before the Appellate Authority, in a time-bound manner.

4. Petitioner was promoted as Assistant Manager in 2008 with Respondent No.1 and was posted at Regional Office at the relevant time



when a preliminary investigation started against the Petitioner pertaining to allegations of misappropriation of funds and shortage detected in the outlets. Petitioner was placed under suspension and charge-sheet was issued on 31.03.2011. The Inquiry Officer submitted his report on 20.02.2014 holding the charges as not proved. The Disciplinary Authority, however, disagreed with the findings of the Inquiry Officer and issued a Disagreement Memo. By order dated 14.08.2014, major penalty of reduction by two stages in the time scale of pay for a period of two years was imposed on the Petitioner against which the Petitioner filed an appeal on 10.09.2014 under Rule 23 of CCS(CCA) Rules, 1965 with the Chairman, Board of Governance, TRIFED followed by a reminder letter dated 30.09.2015 to dispose of the appeal. However, till date the appeal is pending constraining the Petitioner to approach this Court.

5. Issue notice.
6. Counsel, as above, accepts notice for Respondent No.2.
7. Considering that a limited relief is sought by the Petitioner for a direction to TRIFED to dispose of the appeal pending before the Appellate Authority as also looking into the fact that the appeal is pending from 2014, this writ petition is allowed directing the Appellate Authority to decide the appeal dated 10.09.2014 within a period of two months from today. The order passed on the appeal shall be communicated to the Petitioner, who will be at liberty to take recourse to legal remedies in case of any surviving grievance.

JYOTI SINGH, J

AUGUST 12, 2024/kks