



2024:DHC:9499-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 09.12.2024

+ W.P.(C) 16964/2024
PRANAV KUMARPetitioner
Through: Mr. Mayank Kshirsagar, Adv.

versus

UNION OF INDIA THROUGH MINISTRY OF RAILWAYS
& ORS.Respondents
Through: Mr. Anshuman, SPC with
Ms. Laavanya Kaushik, GP.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MR. JUSTICE RAVINDER DUDEJA

NAVIN CHAWLA, J. (Oral)

CM APPL. 71839/2024 (Exemption)

1. Allowed, subject to all just exceptions.

W.P.(C) 16964/2024, CM APPLS. 71838/2024 & 71840/2024

2. This petition has been filed by the petitioner challenging the Charge Memo dated 31.03.2023, and praying for the quashing of the inquiry proceedings based thereon.

3. It is the case of the petitioner that though the inquiry report was submitted to the Disciplinary Authority as far back as 24.11.2023, and in spite of several representations made by the petitioner, the final decision thereon has not been passed by the Disciplinary Authority. The learned counsel for the petitioner submits that the final decision, having been delayed by the respondents, has vitiated the entire



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disciplinary proceedings, and therefore, the impugned chargesheet deserves to be quashed by this Court.

4. Issue notice.

5. Notice is accepted by Mr. Anshuman, the learned counsel, on behalf of the respondents.

6. He prays for time to seek instructions on the same.

7. We are of the opinion that instead of granting time to the learned counsel for the respondents to seek instructions on the petition, the present petition can be disposed of by directing the respondents to take a final decision on the disciplinary proceedings against the petitioner, if not already taken, within a period of six weeks from today, and communicate its order to the petitioner within the said period. In case the respondents do not abide by this direction, it shall be open to the petitioner to get the present petition revived.

8. In case the order of the respondents is adverse to the interest of the petitioner, including on the validity of the proceedings, it shall be open to the petitioner to challenge the same in accordance with the law.

9. It is clarified that this Court has not expressed any opinion on the merits of the claim of the petitioner in the present petition.

10. The petition and the pending applications are disposed of with the aforesaid directions.

NAVIN CHAWLA, J

RAVINDER DUDEJA, J

DECEMBER 9, 2024/rv/DG

Click here to check corrigendum, if any