



\$~94

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 808/2025**
ANIL KOHLIPetitioner

Through: Mr. Shanker Raju, Mr. Nilansh Gaurr,
Advs.

versus

SH RAJEEV KUMAR AND ANRRespondents

Through: Mr. Yashpal R., Mr. Devender Singh,
Advs. for R-1 along with Mr. K.S.L.
Ganesh, D.D. (Admin) CCRT/R-1.
Mr. Ruchir Mishra, Mr. Sanjiv Kr.
Saxena, Mr. Mukesh Kr. Tiwari, Ms.
Poonam Shukla, Ms. Reba Jena
Mishra with Mr. Ramreek Mishra,
Advs. for R-2.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER
20.05.2025

%

1. This petition has been filed alleging wilful disobedience of order dated 16th July 2024 passed in **W.P.(C) 6867/2018**. Relevant paragraphs are extracted as under:



1. This petition has been filed on behalf of the Petitioner under Article 226 of the Constitution of India seeking the following reliefs:-

- "a) Quash and set aside impugned office order of suspension dated 14.3.2018 (Annexure P-1) as well as impugned Memorandum/Chargesheet dated 27.4.2018 (Annexure P-2);*
- b) Direct the respondents to drop the disciplinary proceedings initiated and continued post retirement against the petitioner and as a consequence, direct the respondents to release all the retiral benefits of the petitioner, including full Pension, Gratuity and Leave Encashment with arrears and interest as per law in favor of the petitioner; and*
- c) Any order or further relief which this Hon'ble Court deems fit, just and proper in the peculiar circumstance of the case in the interest of justice may also please be awarded."*

2. Since the suspension order goes back to 14.03.2018 and Memorandum of Charge is dated 27.04.2018, Mr. Raju, learned counsel appearing on behalf of the Petitioner submits that without prejudice to all the contentions raised in the present petition, the petition be disposed of with a direction to Respondent No. 2 to complete the inquiry within a period of six months from today leaving open all the contentions to be taken by the Petitioner at an appropriate stage. Further, the retiral benefits may be disbursed subject to the outcome of the inquiry proceedings and if any are payable during the pendency of the inquiry proceedings, the same may be released.

3. Mr. Rangi, learned counsel appearing on behalf of Respondent No. 2 raises no objection to this course of action.

4. Petition is accordingly disposed of directing Respondent No. 2 to ensure that the inquiry proceedings are completed expeditiously and not later than six months from today. All contentions raised by the Petitioner in the present petition are left open to be raised at an appropriate stage by the Petitioner.

5. Needless to state that depending upon the outcome of the inquiry, all the retiral and terminal benefits will be released to the Petitioner in accordance with law and if any are payable during the pendency of the proceedings, the same may also be released.



2. Counsel for respondent appears on advance notice and states that indeed there has been a delay, but the same has been necessitated due to circumstances beyond their control.
3. **Firstly**, petitioner is a 'Group-A Officer' and the inquiry will have to be conducted by an officer senior to him. The only officer senior is Director, who is on an additional charge. **Secondly**, out of 86 sanctioned posts in the Centre for Cultural Resources and Training (**CCRT**)/respondent, only 43 are currently filled, and there is an acute shortage of staff, due to which they are unable to proceed with expedition. **Thirdly**, they are in the process of filing an application for extension of time with the Writ Court citing these issues.
4. In these circumstances, counsel for respondent no.1 states that they will complete the inquiry within 4-5 months.
5. Taking this undertaking of respondent no.1 into account, the petition is disposed of with the liberty to the petitioner to revive it in case, for any reason, the inquiry is still not completed in the timespan which has been indicated.
6. Needless to state, this will be subject to any orders which may be passed on the extension application by the Writ Court.
7. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 20, 2025/ak/tk

[Click here to check corrigendum, if any](#)