

V. D. Trivedi

Vs

Union of India

Civil Appeal Nos. 4986-87 of 1990

(CJI Ranganath Misra, M.H. Kania, P.B. Sawant JJ)

25.10.1990

ORDER

1. Special leave granted.

2. This Court on September 19, 1990 had directed the respondent to produce the Inquiry Report. The Inquiry Report dated May 31, 1990 submitted by Dr. P. K. Bandhyopadhyaya, Commissioner for Departmental Inquiries is now placed before us. The Commissioner in his report has ultimately come to the conclusion that the charge framed against the appellant has not been proved. Respondent's counsel has suggested to us that since this has ultimately to go to the Central Vigilance Commission and the final order is to be made by them we should not on the basis of the report make any final order. We are not impressed by the submission. We allow the appeals on the basis of findings recorded by the Inquiry Officer and vacate the proceedings against the appellant as we are also of the view that the action taken by the appellant was quasi-judicial and should not have formed the basis of the disciplinary action.

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