

d

Central Administrative Tribunal, Principal Bench

Original Application No.178 of 2002

New Delhi, this the 21st day of January, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman  
Hon'ble Mr. V. K. Majotra, Member (A)

Rakesh Kumar Gupta  
S/o Shri Kanhaiya Lal Gupta  
R/o 210, Delhi Administration Flats,  
Nimri Colony, Ashok Vihar, Phase-IV  
Delhi-52

(Presently working as P.G.T. (Political  
Science in Deen Dayal Upadhyay  
Govt. Sarvodaya Vidyalaya, Rouse Avenue  
New Delhi-2

- Applicant

(By Advocate: Shri Chittaranjan Hati)

Versus

1. N.C.T. of Delhi  
Through: Director of Education  
Old Secretariat, Delhi-54

2. The Principal  
Govt. Boys Senior Secondary School  
(Under N.C.T. of Delhi)  
H-Block, Sultanpuri  
Delhi-41

- Respondent

O R D E R (ORAL)

By Mr. V. K. Majotra, Member (A)

Heard Shri Chittaranjan Hati, learned counsel  
for the applicant.

2. The applicant has challenged order dated 18.1.2001 whereby the date of increment of the applicant has been deferred from 1.1.2000 to 26.1.2000 and he has been treated as absent from duty on various dates during the period April, 1998 to December, 1998, without any intimation. Earlier on, the applicant had approached this Tribunal thrice and lastly in OA No. 2433/2000 which was disposed of by an order dated 21.8.2001. In compliance of order dated 29.5.2000 in OA No. 1343/99, the applicant was

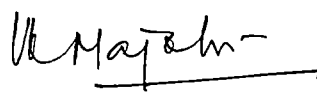
W

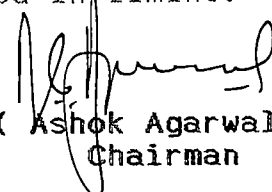
2

issued a memorandum dated 18.1.2001 to which he filed his reply on 4.8.2001. Applicant's claim was considered and rejected. By an order of 21.8.2001 (Annexure-T), O.A.No.2433/2000 was dismissed as not maintainable and the applicant was given liberty to assail the order dated 18.1.2001 by filing a fresh OA and hence, this OA has been filed by the applicant.

3. The learned counsel stated that the applicant is a blind PGT teacher of Political Science where the Principal also teaches the same subject. It is alleged that the Principal being on inimical terms with the applicant, has been marking him absent on different dates as he is not in a position to sign the attendance register being blind and, therefore, the respondents have treated the applicant on extraordinary leave while he had been present.

4. We find that the memorandum was issued to the applicant to which the applicant had replied. The respondents have considered applicant's reply and given a reasoned order namely Annexure 'A' dated 18.1.2001. It is stated therein that applicant's relevant record has been gone through and it is found that he had been on C.L. for 12 days, E.L. for 26 days and EOL for 25 days, being absent during the relevant period. On the same basis, applicant's annual increment was deferred after obtaining the prior approval of the higher authorities. Annexure 'A' is a reasoned order in which we do not find any infirmity. The OA, in the circumstances, is dismissed in limine.

  
( V.K.Majotra )  
Member (A)

  
( Ashok Agarwal )  
Chairman