

(16)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.1486/2001

NEW DELHI, THIS THE 22 ND DAY OF AUGUST, 2002

HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN
HON'BLE MR.V.K.MAJOTRA, MEMBER (A)

Shri H.S.Grewal
Supervisor
Military Farm & Frieswal Project
Grass Farm Road
Meerut Cantt.

..... Applicant

(BY ADVCCATE SHRI S.K.GUPTA)

vs.

1. Union of India
Through Secretary
Ministry of Defence
South Block, New Delhi.

2. Quarter Master General
Army Headquarter
D.H.Q.P.O. New Delhi-110 011.

3. Director
Military Farm & Frieswal Project
Grass Farm Road
Meerut Cantt.

.... Respondents

(BY ADVOCATE SHRI R.N.SINGH)

ORDER (ORAL)

JUSTICE ASHOK AGARWAL:

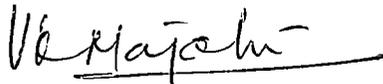
Applicant who is a Group 'C' employee with the respondent No 3 is aspirant for promotion to the post of Manager. By the present OA, he seeks directions to the respondents to promote him to the aforesaid post with effect from the date when his junior was promoted. Aforesaid claim of the applicant was denied as a penalty had been imposed upon him in disciplinary proceedings which had been conducted against him by orders issued on 12.10.1998 and 18.9.2000 passed by the disciplinary authorities. Aforesaid orders of penalty were impugned by the applicant by instituting OA No.1470/2001. By an order passed on 2.4.2002, the aforesaid orders were quashed and set aside. Respondents were however, granted liberty to initiate fresh disciplinary proceedings



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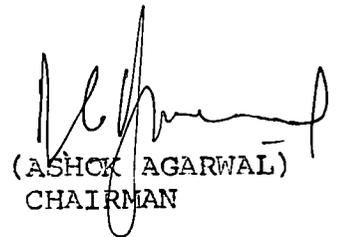
from the stage of receipt of the reply of the applicant and supply of relied upon documents. This was directed to be done within a period of three months from the date of receipt of a copy of the order. According to the applicant, though a period of three months has expired, no proceedings have so far been initiated. However, we find that till such time that aforesaid disciplinary proceedings stand abated, no orders as claimed in the present OA can justifiably be passed. In the circumstances, the present OA is disposed of with liberty to the applicant to institute a fresh OA after he obtains necessary orders in regard to abatement of the disciplinary proceedings. We direct accordingly.

Present OA is disposed of in the aforesaid terms with no order as to costs.



(V.K. MAJOTRA)
MEMBER(A)

/sns/


(ASHOK AGARWAL)
CHAIRMAN