

Central Administrative Tribunal, Principal Bench

Original Application No.3029 of 2001

New Delhi, this the 7th day of November, 2001

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. S.A.T. Rizvi, Member (A)

Shri P.M. Jhangiani
S/o late Shri M.G. Jhangiani
R/o BD-914, Sarojini Nagar
New Delhi-23

- Applicant

(By Advocate: Shri P.M. Ahlawat)

Versus

1. Council of Scientific & Industrial Research through:
The Secretary
Anusandhan Bhawan, Rafi Marg,
New Delhi-1

2. The Director General
Council of Scientific & Industrial Research

Anusandhan Bhawan, Rafi Marg,
New Delhi-1

- Respondents

O R D E R (ORAL)

By Justice Ashok Agarwal, Chairman

Disciplinary proceedings were initiated against the applicant vide chargesheet of 21.9.91 on a charge of unauthorised absence. Disciplinary authority by his order of 2.2.95 (Annexure A-2) has held the aforesaid charge proved and has imposed a penalty of reduction of pay by one stage from Rs.1425 to Rs.1400 (pre-revised) in the pay scale of Rs.950-1500 (pre-revised) for a period of two years with a direction that he will not earn increments of pay during the period of reduction and that on the expiry of this period, the reduction will not have the effect of postponing his future increments of pay. The period of unauthorised absence was directed to be treated as dies-non. Aforesaid order of the disciplinary authority was carried by the applicant in appeal and the appellate authority by his order of 18.4.2001 (Annexure A-1) has

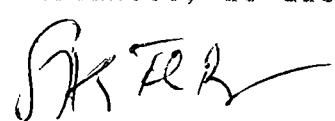


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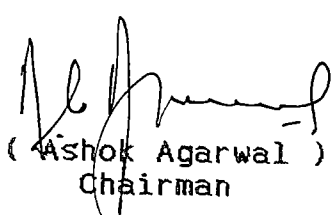
maintained the aforesaid order of penalty and has dismissed the appeal.

2. We have heard the learned counsel appearing in support of the OA. We have also perused the relevant proceedings and we find that the orders passed by the disciplinary authority are just and proper. The same do not call for any interference in the present OA. Principles of natural justice have been duly complied with by giving adequate opportunity to the applicant at each stage of the enquiry to submit his representations. Both the orders, the one passed by the disciplinary authority as also the one passed by the appellate authority are fully borne out from the material on record. No case is, therefore, made out for interference in the present OA.

3. As far as the claim of the applicant for earlier promotion from the post of LDC to that of UDC is concerned, we find that the same has been denied to him for good and cogent reasons, namely of his unauthorised absence as also the penalty imposed upon him in the disciplinary proceedings. Aforesaid prayer ~~also~~ for early promotion is, therefore, not sustainable. Present OA, in the circumstances, is dismissed in limine.



(S.A.T. Rizvi)
Member (A)



(Ashok Agarwal)
Chairman

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