

Central Administrative Tribunal  
Principal Bench

O.A. No. 2434 of 1998

New Delhi, dated this the 19th August, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mr. Kuldip Singh, Member (J)

Mrs. V.K. Chandel,  
W/o Shri M.S. Chandel,  
House Keeper,  
Dr. R.M.L. Hospital, ... Applicant  
New Delhi-110001.

(By Advocate: Shri S.Y. Khan)

Versus

Union of India through

1. Secretary,  
Ministry of Health & F.W.,  
Nirman Bhawan,  
New Delhi.
2. Director General,  
Health Service,  
Nirman Bhawan,  
New Delhi.
3. Medical Superintendent,  
Dr. Ram Manohar Lohia Hospital,  
New Delhi-110001. ... Respondents

(By Dept. Repr. Shri Shahabuddin,  
with Shri Vinod Kumar proxy  
counsel for Shri Rajinder Nischal)

ORDER (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant impugns Respondents' order dated 30.6.94 (Annexure A-1) imposing the penalty of reduction in her pay by two stages without cumulative effect for a period of one year.

2. We have heard applicant's counsel Shri Khan and Shri Shahabuddin, Departmental Representative, Dr. R.M.L. Hospital along with proxy counsel for Shri Rajinder Nischal for respondents.

3. Shri Shahabuddin has invited our attention to Respondents' order dated 13.8.99, enclosing a copy of the Appellate Authority's order dated 13.8.99 setting aside the Disciplinary Authority's order dated 30.6.94 and directing the Disciplinary Authority to consider applicant's reply to the Charge Memo dated 15.3.94 and to hold enquiry in accordance with rules and instructions on the subject.

4. In the light of the aforesaid Appellate Authority's order, the O.A. does not survive.

5. Applicant has also prayed for restoration of her pay, grant of annual increments by crossing E.B. w.e.f. 1.9.93 and fixation of her pay in the revised scale from the original date together with arrears thereon. In this connection, Departmental Representative Shri. Shahabuddin states at the Bar that applicant's personal records are being collected from Appellate Authority and as soon as it is received by Respondent No.3 (M.S., Dr. R.M.L. Hospital) applicant's pay will be refixed and her legitimate dues will be paid to her. He states that on receipt of the records these payments will be made with a week's time.

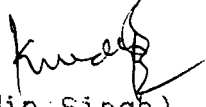
6. While making payments Respondents should also examine applicant's claim for interest, as

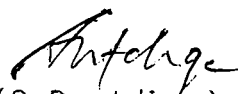
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applicant's counsel states that the delay in payment was entirely on account of the fault of the respondents.

7. If any grievance still survives thereafter it will be open to applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

8. Subject to the above observations made in the foregoing paragraphs, the O.A. is dismissed. No costs.

  
(Kuldip Singh)  
Member (J)

  
(S.R. Adige)  
Vice Chairman (A)

/GK/