

Central Administrative Tribunal:Principal Bench

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O.A. No. 1419/96

New Delhi, this the 10th day of July, 1996

Hon'ble Mr. Justice A.P.Ravani, Chairman
Hon'ble Mr. R.K.Ahooja, Member (A)

Smt. Ladwati
w/ late Om Singh,
C/o Shri Churamani s/o Sh.Chiddi Ram,
village Mewati-Ka-Nagla,
Post office Maholi,
Distt. Mathura(UP).

...Applicant

(By Shri D.N.Sharma, Advocate)

Versus

1. Union of India through
The Secretary to the Govt. of India,
Ministry of Defence, South Block,
New Delhi.
2. The Quarter Master General,
Quarter Master General's Branch,
Army Headquarters, D.H.Q. Post Office,
New Delhi.
3. The Director General of Supplies &
Transport, Quarter Master General's Branch,
Army Headquarters, DHQ Post Office,
New Delhi.
4. The Commandant,
3-Reserve Petroleum Depot,
ASC, Mathura(UP)?
5. The Commandant,
509, E.M.E., Army Base Workshop,
Agra, Cantt.

...Respondents

(By None)

ORDER (Oral)

By Hon'ble Mr. Justice A.P.Ravani, Chairman.

The applicant is a group 'D' employee serving in the office of respondent no. 5 i.e. The Commandant, 509-E.M.E., Army Base Workshop, Agra-Cantt. It was alleged that the applicant preferred certain false medical bills and claimed re-imbursement thereof. After the disciplinary

May 18, 1995 (Annexure A-1 to the O.A.) and imposed punishment of withholding of one increment of pay with cumulative effect and also directed to recover from the pay of the applicant all the pecuniary loss caused to the Government by negligence or breach of orders. The aforesaid order is challenged by filing this O.A.

In view of the facts and circumstances of the case and particularly the fact that against the impugned order, an appeal is preferred before respondent no. 3 i.e. Director General of Supplies & Transport, New Delhi which is still pending, we do not think it proper to entertain this O.A. at this stage. In our opinion, if the O.A. is disposed of by giving following directions, it would meet the ends of justice:-

- (a) The applicant is directed to file five copies of the application together with all its annexures in the Registry of the Tribunal latest by July 15, 1996.
- (b) Registry of the Tribunal is directed to send a copy of this order together with a copy of the application to all the respondents.
- (c) Respondent no. 3 i.e. Director General of Supplies & Transport, New Delhi to whom the appeal is preferred by the applicant against the impugned order and the appeal memo is annexed with the O.A. as Annexure A-25, is directed to decide the appeal in accordance with law latest by September 30, 1996. The decision that ~~shall~~ ^{may} be taken by respondent no. 3 on appeal shall be communicated to the applicant by registered A.D. post and by ordinary post under certificate of posting, within three days from the date of taking decision.
- (d) If the applicant feels aggrieved by the decision ~~shall~~ ^{may} be taken by the appellate authority, it will

legality of the same before appropriate forum as it may be available to her in accordance with law.

Subject to the aforesaid observations and directions, the D.A. stands disposed of. No costs.

R.K. Ahooja
(R.K. Ahooja)
Member (A)

A.P. Ravani
(A.P. Ravani)
Chairman

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