

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

D.A. NO. 1612/1996

New Delhi this the 7th day of August, 1996.

HON'BLE SHRI JUSTICE A. P. RAVANI, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

(By Shri Yogesh Sharma, Counsel)

-Versus-

1. Union of India through Secretary, Ministry of Defence, Govt. of India, New Delhi.
2. The Director General, Ordnance Factory Board, 10-A, Auckland Road, Calcutta.
3. The General Manager, Ordnance Factory, Muradnagar, Ghaziabad (UP).

... Respondents

ORDER (ORAL)

Shri Justice A. P. Ravani --

The applicant was serving as Fitter in the office of Respondent No.3, that is, General Manager, Ordnance Factory, Muradnagar. On the allegation of certain misconduct a disciplinary inquiry was held against the applicant and he has been ordered to be removed from service as per order dated March 8, 1996 (Annexure A-1 to the O.A.). Against this order, the applicant has preferred appeal before respondent No.2, that is, Director General, Ordnance Factory Board. The said appeal has still not been decided as averred in the application. In view of

(3)

this position, we do not think it proper to entertain this application wherein prayer has been made to set aside the order passed by the disciplinary authority. Instead, ends of justice would be met if the application is disposed of by giving following directions :-

- (1) Applicant is directed to file three copies of the application in the Registry of the Tribunal latest by August 12, 1996.
- (2) Registry shall send a copy of this order together with a copy of the application to the respondents.
- (3) Respondent No.2, i.e., Director General, Ordnance Factory Board, Calcutta is directed to decide the appeal preferred by the applicant latest by October 14, 1996.
- (4) The decision that will be taken by respondent No.2 as indicated hereinabove shall be communicated to the applicant by registered A/D post and also by ordinary post under certificate of posting immediately within three days from the date of the decision.

2. In case the applicant feels aggrieved by the decision taken by respondent No.2, it will be open to him to challenge the legality and validity of the same before appropriate forum.

3. The O.A. stands disposed of accordingly.

/as/

R. K. Ahooga
(R. K. Ahooga)
Member (A)

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