

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No.199 of 1996

New Delhi, this the 8th day of November, 1999

HON'BLE MR. JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MR. R.K. AHOOJA, MEMBER (ADMNV)

Shri Yashpal  
49/50, C-1, WELCOME-II Ird  
Seelampur, Delhi-53

....Applicant

(By Advocate: None)

Versus

1. The Senior Divisional Mechanical  
Engineer (C&W),  
Divisional Railway Managers Office  
Northern Railways  
New Delhi

2. Union of India through  
General Manager,  
Northern Railways  
Baroda House,  
New Delhi-1

....Respondents

(By Advocate: Shri R.L. Dhawan)

O R D E R (ORAL)

By Hon'ble Mr. Justice Ashok Agarwal, Chairman

Applicant and his counsel were not present when the case came up for hearing. We have heard Shri R.L. Dhawan, learned counsel for the respondents.

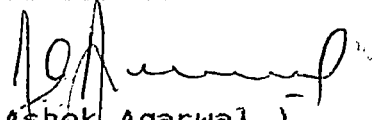
2. A minor penalty of stoppage of increment for two years is impugned by the present OA. Both the disciplinary authority as also the appellate authority have concurrently reached the finding that there was shortage of stores material which was in the charge of the applicant. As far as the shortages which have been noted, the same have not been disputed. All that has been stated by the applicant in his defence is that charge of the stores had not been handed over by his predecessor Shri Tikaya Ram, properly. <sup>We however find that</sup> Such shortages

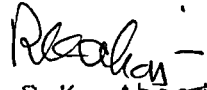
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were noticed during a vigilance inspection. Both the disciplinary authority and the appellate authority have concurrently found that the applicant has merely sought to shift his responsibility on others.

3. In our view, the impugned order of penalty has been passed after following the due procedure provided under the rules. Principles of natural justice have been followed; hence no case is made out for interference with the impugned order. In these circumstances, the present OA is found to be devoid of merits and is accordingly dismissed. There will be no order as to costs.

  
( Ashok Agarwal )  
Chairman

  
( R.K. Ahooja )  
Member (Admnv)

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