

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 2189/1996

New Delhi this the 17th day of October, 1996.

HON'BLE SHRI JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Jagdish S/O Baljeet Singh
R/O Village Chiheda,
Distt. Muradnagar
Distt. Ghaziabad (UP).

... Applicant

(By Shri Yogesh Sharma, Advocate)

-Versus-

1. Union of India through
Secretary, Ministry of Defence,
Government of India,
New Delhi.

2. The Director General,
Ordnance Factories Board,
10-A, Auckland Road,
Calcutta.

3. The General Manager,
Ordnance Factory,
Muradnagar,
Distt. Ghaziabad (UP).

... Respondents

(By Shri N. S. Mehta, Senior Standing Counsel)

The application having been heard on 17.10.1996
the Tribunal on the same day delivered the
following :

O R D E R

CHETTUR SANKARAN NAIR, J. / CHAIRMAN —

Applicant challenges an order of the disciplinary
authority removing him from service on charges of
misconduct, as affirmed by the appellate authority.
Learned counsel took us through the record in detail
and assailed the findings of the authorities. In
answer, learned Senior Standing Counsel appearing for
the Union of India reminded us that our jurisdiction

cannot be approximated to an appellate jurisdiction on facts. The submission is well founded in the light of the decisions of the Supreme Court in State of Tamil Nadu vs. Rajapandian, AIR 1995 SC 561 and B. C. Chaturvedi vs. Union of India, 1995 (6) SCC 749. We find no ground much less good ground to interfere with the orders concurrently made by the authorities below. This will not preclude applicant from seeking the remedy under Rule 29 of the Central Civil Services (Classification, Control and Appeal) Rules, if so advised.

2. Application is dismissed. No costs.

Dated, the 17th October, 1996.

R. K. Ahuja
(R. K. Ahuja)
Member (A)

Chettur Sankaran Nair
(Chettur Sankaran Nair, J.)
Chairman

/as/