

Central Administrative Tribunal  
Principal Bench: New Delhi

C.P. No. 202/99 In  
O.A. No. 1134/97

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New Delhi this the 15th day of October 1999

Hon'ble Mr. Justice V. Rajagopala Reddy, VC (J)  
Hon'ble Mrs. Shanta Shastri, Member (A)

J.L. Bindra  
S/o Shri Rattan Singh Bindra  
R/o GH-8/112, Paschim Vihar,  
New Delhi.

...Petitioner

(By Advocate: Shri S.M. Rattan Paul)

Versus

Shri S.C. Vasudeva,  
Chief Engineer NDZ-II,  
Central Public Works Department,  
Nirman Bhawan,  
New Delhi..

...Respondents

(By Advocate: Shri Gajendra Giri)

ORDER (Oral)

By Reddy, J.-

Heard the counsel for the petitioner and  
the respondents..

2. The C.P. arises out of the order dated  
8.10.98 passed in OA No. 1134/97 wherein the  
appellate order under challenge in the OA was quashed  
and the appellate authority was directed to pass a  
speaking order, discussing each of the grounds taken  
therein in accordance with the rules and  
instructions. It is now complained by the applicant  
that though an order has been passed by the  
appellate authority the main ground taken by the  
applicant in the OA was not considered at all.  
Learned counsel for applicant, therefore, submits  
that the respondents had deliberately violated the



directions given by the Tribunal. In the counter affidavit it is, however, averred that the appellate authority has discussed<sup>ed</sup> all the grounds taken by the applicant in the OA. 23

3. We find that the Appellate Authority while disposing of the appeal modified the order of the Disciplinary Authority ordering reduction of pay by one increment in the pay scale of the applicant with cumulative effect w.e.f. 1.11.95. The contention of the learned counsel that the main question raised in the OA, viz; that the applicant having already been charge-sheeted by the memo dated 14.8.87 and awarded punishment, the respondents again have now issued the present charge-sheet dated 13.2.91 and are seeking to re-open the enquiry that has already been concluded, has not been considered by the Appellate Authority.

4. We do not agree. We have carefully perused the order passed by the Appellate Authority and the Appellate Authority in paragraph-8 has clearly dealt with this question. In the circumstances, the contention of the learned counsel for applicant cannot be accepted. C.P. is, therefore, dismissed. No costs. It is, however, open to the petitioner to file a fresh OA if he is aggrieved by the order of the Appellate Authority dated 30.8.99.

*Shanta*  
(Mrs. Shanta Shastri)  
Member (A)

*V. Rajagopala Reddy*  
(V. Rajagopala Reddy)  
Vice-Chairman (J)

cc.