

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 1447/97

This the 7th day of July, 1997.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI N. SAHU, MEMBER (A)

K. C. Verma S/O Ballumal Verma,
R/O C-6, Chhajupur (North),
100 foota Road,
P.O. Gokulpuri,
Delhi-110094.

... Applicant

(By Shri M. M. Kashyap, Advocate)

-Versus-

1. Union of India through
Secretary,
Ministry of Home Affairs,
North Block,
New Delhi.

2. Director of Intelligence Bureau,
Ministry of Home Affairs,
North Block,
New Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal, Chairman -

Heard the learned counsel for the applicant on
admission.

The applicant was chargesheeted for not joining
the duties at the place where he was transferred
deliberately. The charge was found proved and
accordingly, the penalty of compulsory retirement was
passed against the applicant.

The learned counsel for the applicant could not
demonstrate any irregularity or procedural defect in
the inquiry held against the applicant. His


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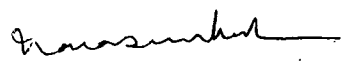
submission was that several times in the past, the applicant was transferred from place to place. The last order was made at a time when the applicant was suffering from illness and, therefore, could not be complied with.

We are not hearing the matter at a court of appeal. The reasons given by the learned counsel for the applicant may invite our sympathy but they cannot give us jurisdiction or power to quash the order of penalty imposed on the applicant.

It is not disputed that the applicant had joined the services in February, 1964 and, therefore, on the date of the order or a few days thereafter, he could also be made to retire compulsorily. Seeing from this angle, the punishment awarded does not appear to be excessive and, therefore, calls for no interference.

Accordingly, this application is hereby summarily dismissed.


(K. M. Agarwal)
Chairman


(N. Sahu)
Member (A)

/as/