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Central Administrative Tribunal  
Principal Bench: New Delhi

O.A. No. 1105/2000

New Delhi this the 1st day of January, 2001

Hon'ble Mr. V.K. Majotra, Member (A)  
Hon'ble Mr. Shanker Raju, Member (J)

Shri Kishore Singh  
S/o Shri Sardara Singh  
R/o H. No. 406  
Village & P O Kapasehra  
New Delhi- 110037

-Applicant

(By Advocate: None)

Versus

1. Union of India  
(Through Secretary)  
Ministry of Information & Broadcasting  
Shastri Bhawan  
New Delhi
2. Director General (News)  
Prasar Bharti  
Broadcasting Corpn of India  
All India Radio  
New Delhi
3. Shri S.K. Pandey  
D D Administration  
Prasar Bharti  
Broadcasting Corpn. of India  
All India Radio  
New Delhi.
4. P.P. Bhatia  
ANE (H & R)  
Prasar Bharti  
Broadcasting Corpn. of India  
All India Radio  
New Delhi.

-Respondents

(By Advocate: Shri A.K. Bhardwaj)

ORDER (Oral)

Mr. V.K. Majotra, Member (A)

Learned counsel for the respondents has filed a copy of the counter reply to the OA. In the absence of the applicant and his counsel, we proceed to dispose of the matter under Rule-15 of the CAT (Procedure) Rules, 1987.

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2. The applicant is aggrieved by order dated 30.8.99 (Annexure-A) whereby the applicant has been compulsorily retired from service w.e.f. 1.9.99 (FN). It has also been ordered that the applicant would not be paid anything due over and above what has already been paid to him as Subsistence Allowance during the period of suspension and that suspension will be counted for duty only for the limited purpose of pensionary benefits (including gratuity) to be regulated under Rule 40 of CCS (Pension) Rules, 1972. The applicant is also aggrieved alleging callous and indifferent attitude of Respondent No.3, D.D. Administration, Prasar Bharti in not disposing of his statutory appeal filed on 17.9.99 against the impugned order (Annexure-A).

3. In their counter reply, the respondents have stated that Respondent No. 2, Director General (News), Prasar Bharti is the Appellate Authority and not Respondent No.3. Learned counsel of the respondents has stated that Respondent No.2 has not been able to dispose of the appeal being indisposed and hospitalised for some time. The respondents have, therefore, contended that this CA is pre-mature.

4. In view of the fact that the appeal dated 17.9.99 (Annexure-W) submitted by the applicant has yet not been disposed of by the respondents, in our view interest of justice would be served if Respondent No.2, Director General (News) Prasar Bharti is directed to dispose of the said appeal within a stipulated period.

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5. In the result, the OA is disposed of with a direction to Respondent No.2 to dispose of the appeal dated 17.9.99 of the applicant within a period of four months from the date of communication of this order by passing a reasoned order. The applicant will have a liberty to file a fresh OA if aggrieved on orders in the appeal. No costs.

S. Raju

(Shanker Raju)  
Member (J)

V.K. Majotra

(V.K. Majotra)  
Member (A)

cc.