

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 1327/2000

New Delhi this the 20th day of July 2000

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member (A)

B.S. Rana
PET, Kendriya Vidyalaya
Keshavpuram, Delhi,
R/o Arya Kutir Plot No. 505/3
Sahibabad, Daulat Pur, Delhi-110042.
(By Advocate: Shri Anil Srivastava)

...Applicant

Versus

The Asstt. Commissioner Delhi Region
Kendriya Vidyalaya Sangathan
JNU Campus, New Mehrauli Road
New Delhi-110067.

...Respondent

ORDER (Oral)

By Justice Ashok Agarwal, Chairman

The Enquiry Officer in disciplinary proceedings conducted against the ~~Applicant~~ has concluded as under:-

"From the record it is established that the C.O. has been submitting his leave application duly supported by medical certificates to the competent authorities. So he was not at any fault. P.O has failed to give reasons for not sanctioning the leave by the Competent Authority. It is also found that neither leave sanction order is issued by the Competent Authority nor reply has been sent to C.O. in response to his leave applications. However till the leave is sanctioned the employee is treated as unauthorisedly absent. In this case since leave has not been sanctioned the charge of unauthorised absence is held as proved".

D.S.

(65)

2. Based on the aforesaid finding of the Enquiry Officer, the Disciplinary Authority has proceeded to impose a penalty of reduction of pay by three stages from Rs. 9100/- to Rs. 8500/- for a period of three years with a direction that the applicant will not earn increments of pay during the period of reduction and that on the expiry of this period, this will not have the effect of postponing his future increments of pay. Aforesaid order of the Disciplinary Authority has been carried by the applicant in appeal on 19.6.2000 and the same is pending consideration.

3. In view of the pendency of the appeal, we do not propose to interfere at this interlocutory stage. Present O.A, in the circumstances is disposed of with a direction that the Appellate Authority will dispose of the appeal expeditiously and in any event within a period of two months from the date of service of this order. No costs.

V.K. Majotra

(V.K. Majotra)
Member (A)

Ashok Agarwalla

(Ashok Agarwalla)
Chairman

cc.