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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

OA No.568/2000

NEW DELHI, THIS THE 11TH DAY OF APRIL, 2000.

HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE MR.V.K.MAJOTRA, MEMBER(A)

Shri Vijay Kumar Wali  
S/o Shri Triloki Nath Wali  
R/o House No.367 Street No.14  
Bola Nath Nagar  
Shahdara  
Delhi-110032

...Applicant

(Applicant present in person)

vs.

1. Union of India  
through the Secretary  
Ministry of Defence  
Government of India  
South Block  
New Delhi.
2. The Secretary  
Union Public Service Commission  
Dholpur House  
Shahjehan Road  
New Delhi-110011
3. Shri B.P.Singh  
Retired Under Secretary  
Ministry of Defence  
C/o Respondent No.1
4. Shri Faquir Chand  
Senior Accounts Officer  
Controller of Defence Accounts  
"G" Block Hutments,  
New Delhi-110001.
5. Shri Yogesh Mathur  
Assistant  
Ministry of Defence  
C/o Respondent No.1

...Respondents

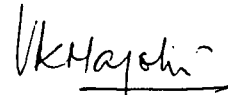
ORDER (ORAL)

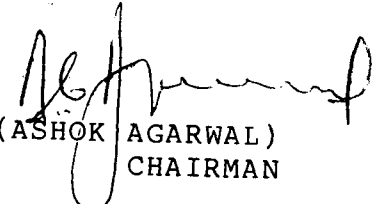
JUSTICE ASHOK AGARWAL:

Disciplinary authority has imposed a penalty of withholding of increments of pay for a period of two years with cumulative effect on the applicant in

disciplinary proceedings conducted against him. Based on the aforesaid order of penalty issued by the disciplinary authority on 3.11.1999, applicant who was holding the post of Assistant on ad hoc basis has been reverted to his substantive post of UDC by an order passed by the Under Secretary to the Government of India on 18.2.2000. Aforesaid order of penalty dated 3.11.1999 has been passed by and in the name of the President of India. Aggrieved by the aforesaid order, applicant has on 20.12.1999 approached the President of India and has submitted what he has styled as an appeal which under the Central Civil Services (Classification, Control & Appeal) Rules, 1965 is not maintainable. Only remedy which is contemplated under Rule 29-A is one of review by the President. In the circumstances, we find that ends of justice will be met by disposing of the present OA by making a request to the Hon'ble President of India to treat the aforesaid appeal, a copy of which is annexed at Annexure A-22 to the OA, as a review petition filed under Rule 29-A of the CCS (CC & A) Rules, 1965 and pass suitable orders in this behalf. It goes without saying that it will be open to the applicant to once again approach this Tribunal should the decision of the President be adverse to him.

2. Present OA in the circumstances is disposed of as above in limine.

  
(V.K. MAJOTRA)  
MEMBER (A)

  
(ASHOK AGARWAL)  
CHAIRMAN

SNS