

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

....  
OA.2436 of 1989  
MP.2088 of 1991

Dated New Delhi, the 12th day of May, 1994

Hon'ble Shri J. P. Sharma, Member(J)  
Hon'ble Shri B. K. Singh, Member(A)

Shri S. C. Aggrawala  
S/o Shri Amba Prasad Aggrawala  
r/o A-75, East Kidwai Nagar  
NEW DELHI: 110 023

... Applicant

By Advocate: None present  
VERSUS

1. Union of India  
through the Secretary  
Ministry of Textile, Udyog Bhawan  
NEW DELHI: 110 011
2. The Textile Commissioner  
48, New Marine Lines  
New C.G.O. Building  
(Post Bag No.11500)  
BOMBAY: 400 020
3. The Joint Textile Commissioner  
48, New Marine Lines  
New C.G.O. Building  
(Post Bag No.11500)  
BOMBAY-400 020

... Respondents

By Advocate: None present

O R D E R (Oral)

Shri J. P. Sharma, M(J)


None is present on behalf of the applicant and  
for the respondents also no one is present.


2. The applicant was issued a charge sheet vide  
memo dated 1.2.83 by Deputy Director(Admn), office  
of the Textile Commissioner, Bombay on the ground  
that after having <sup>been</sup> repatriated from the office of  
the Development Commissioner(Handicrafts), New Delhi,  
he did not join his duty at Powerloom Centre, Surat.  
The Enquiry Officer gave his findings <sup>establishing</sup> ~~proving~~ the  
charges against the applicant, which was accepted  
by the Disciplinary Authority vide order dated 5.6.84  
<sup>who</sup> ~~he~~ imposed penalty of withholding of three increments  
of pay for a period of three years without cumulative

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effect. He was again served with a memo of charge, sheet vide memo dated 23.1.85. That was for his remaining unauthorisedly absent while serving as Technical Investigator in Powerloom Service Centre, Surat from 6.9.84 to 22.9.84 and from 22.10.84 to 27.10.84 without any prior sanction of leave or permission. Another charge against the applicant was that he used to abuse and pick up quarrels frequently with the staff members and also abused in foul language the staff members including the Officer-in-charge, while he was on duty. The Enquiry Officer held charge of absence from duty of the applicant w.e.f. 7.9.84 to 22.9.84 as substantiated. The Disciplinary Authority vide order dated 16.1.87 imposed penalty of withholding of increment of pay for another three years with cumulative effect, commencing from 1987 when his earlier penalty expires. The Appellate Authority vide order dated 6.7.89 rejected the appeal and thereafter the applicant filed this OA in December, 1989, praying for the grant of relief that the impugned orders dated 16.1.87 and 6.7.89 be quashed and set aside and the applicant be given all consequential benefits and the period of suspension from 21.4.84 to 22.2.87 may be treated as on duty for all purposes. The applicant has also prayed for grant of further promotion.

3. The respondents have not contested this application and no reply has been filed by them. Since the applicant is not present, we dismiss the OA for default and non prosecution.

  
(B. K. Singh)  
Member(A)

  
(J. P. Sharma)  
Member(J)

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