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**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**NEW DELHI**

O.A. No.      1284      1988  
T.A. No.

DATE OF DECISION 22.7.1988

Shri A. K. Jain,      **Petitioner**

Shri V.P.Sharma,      **Advocate for the Petitioner(s)**

**Versus**

Union of India & others      **Respondent s**

Nene      **Advocate for the Respondent(s)**

**CORAM :**

**The Hon'ble Mr.**      Justice K. Madhava Reddy, Chairman

**The Hon'ble Mr.**      Kaushal Kumar, Member

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ? No
3. Whether their Lordships wish to see the fair copy of the Judgement ? No
4. Whether to be circulated to all the Benches ? No

  
( KAUSHAL KUMAR )  
MEMBER

  
( K. MADHAVA REDDY )  
CHAIRMAN

22.7.88

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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

REGN. NO. CA 1284/88

Date of decision: 22.7.1988

Shri A. K. Jain

.....

Applicant

Vs.

Union of India & others

.....

Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman  
Hon'ble Mr. Kaushal Kumar, Member

For the Applicant

..... Shri V.P. Sharma, Counsel.

( Judgement of the Bench delivered by  
Hon'ble Mr. Justice K. Madhava Reddy,  
Chairman)

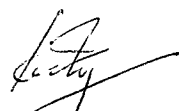
This is an application under Section 19 of the Administrative Tribunals Act, 1985 challenging the order dated 5.12.1986 by which the penalty of withholding two increments by way of disciplinary proceedings was imposed on the applicant. As against that order, the applicant preferred an appeal on 28.1.1987. It is the grievance of the applicant that his appeal has not yet been disposed of. If the appeal is not disposed of within six months of its filing, the applicant is entitled to move the Tribunal under Section 19 of the Administrative Tribunals Act. Once the applicant moves the Tribunal, unless the Tribunal orders otherwise the appeal abates. The appeal preferred by the applicant covers both the questions of law and fact. It is but fair that the Appellate Authority do consider and dispose of the appeal expeditiously and not <sup>the</sup> deny him the benefit of ~~xx~~/appellate order. This Tribunal does not sit as a Court of appeal.

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4.

We, therefore, now direct the Appellate Authority to dispose of the appeal within three months from the date of receipt of this order. If relief is granted to the applicant, there will be no occasion for the applicant to move this Tribunal. If it is decided against him, the applicant will be at liberty to move the Tribunal afresh, if he so desires. This application stands disposed of as above.

  
( KAUSHAL KUMAR )  
MEMBER

  
( K. MADHAVA REDDY )  
CHAIRMAN

22.7.1988