

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

O.A. 1891/88

Date of decision 24.11.88.

Shri Chet Ram Petitioner

Vs.

U.O.I. & Others Respondents

For the petitioner Shri P.K. Saxena,
Advocate

For the respondents None.

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. P. SRINIVASAN, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed
to see the Judgment?

2. To be referred to the Reporter or not?

(The judgment of the Bench delivered by Hon'ble
Mr. P.Srinivasan, Administfative Member)

This application has come up before us for admission
with notice to the respondents. The grievance of the
applicant is against an order dated 24.11.1987 said to
have been passed by the Disciplinary Authority, compulsorily
retiring the applicant from service after instituting a
departmental inquiry.

2. Shri Pawan Kumar Saxena, learned counsel for the
applicant is present. None appeared for the respondents

P. K. Saxena

though they have been duly served.

3. Shri Saxena informs us that the original order dated 24.11.87 and the other relevant papers have been destroyed and he prays that the respondents may be directed to produce the same. We notice from the application and the Annexures thereto that the applicant has filed an appeal against the impugned order of penalty on 11.1.1988.

Shri Saxena informs us that this appeal is still pending.

We feel that in such cases it would be better if the departmental proceedings under the relevant rules are first completed and the facts ~~of~~ issue become clear for this Tribunal to deal with the matter. Since the order of punishment in this case was passed only about a year ago and the appeal has been filed, we are of the opinion that it would be better to direct the appellate authority to consider and dispose of the appeal on merits by a speaking order after giving an opportunity ^{of being heard} to the applicant.

It is essential that such matters are taken up and disposed of by the Appellate Authority expeditiously, particularly when the punishment imposed is one of compulsory retirement.

4. In view of the above, we direct the Appellate Authority to take up the applicants appeal, give him an opportunity of being heard and dispose of the appeal as expeditiously as possible and in any case not later than 31.1.1989. The applicant ^{may} place all his arguments before the Appellate Authority. If the applicant is aggrieved with the order of the

P. J. V.

Appellate Authority when it is made, he will be at liberty to come to this Tribunal.

5. The application is disposed of on the above terms at the stage of admission itself, but in the circumstances of the case, parties to bear their own costs.



(P. SRINIVASAN)
MEMBER (AM)



(P.K. KARTHA)
VICE CHAIRMAN