



**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**OA/100/1833/2020
MA/100/2357/2020**

This the 2nd Day of February, 2021

Through Video Conferencing

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Dr. Rahas Kumar Mohanty
Ex-Deputy Secretary (P&D),
Aged about 48 years,
R/o H-4/90B, First Floor, Flat No. 2,
Bengali Colony, Mahavir Enclave,
New Delhi – 110 045.

....Applicant

(By Advocate : Mr. Sagar Saxena)

Versus

1. The Secretary (I/c)
Lalit Kala Akademi
Rabindra Bhavan,
35, Feroze Shah Road,
New Delhi – 110 001.
2. The Secretary,
Ministry of Culture,
Government of India,
502-C Wing,
Shastri Bhawan,
New Delhi-110015.
3. The Chairman,
Lalit Kala Akademi
Rabindra Bhavan,
35, Feroze Shah Road,
New Delhi – 110 001.
4. Shri Ashish Patil,
Deputy Secretary (P&D)
Lalit Kala Akademi
Rabindra Bhavan,

35, Feroze Shah Road,
New Delhi – 110 001.



...Respondents

(By Advocate : Mr. V.S.R. Krishna and Mr. G.S. Virk)

O R D E R (ORAL)

Justice L. Narasimha Reddy :

The applicant was appointed as Deputy Secretary (P&D) in the Lalit Kala Academy through order dated 26.11.2019 and was placed on probation. Through an order dated 12.06.2020, the Academy terminated the probation by offering the amount of pay in lieu of one month's notice.

2. This OA is filed challenging the order dated 12.06.2020. The applicant has raised several grounds in his challenge to the impugned order dated 12.06.2020.

3. We heard Mr. Sagar Saxena, learned counsel for the applicant, Mr. G.S. Virk and Mr. V.S.R. Krishna, learned counsel for the respondents.

4. It is no doubt true that the applicant raised legal as well as factual grounds in his challenge to the impugned order. The fact, however, remains that he preferred an appeal to the Ministry of Culture, Government of India on 07.07.2020, followed by another representation dated 13.08.2020. The



applicant has also submitted a reminder on 05.10.2020. The appeal is in terms of Clauses 53, 56 & 58 of the byelaws of Lalit Kala Academy. Once the applicant has availed the remedy provided under the byelaws, he has to await the outcome thereof. The concerned authority can be required to pass orders in the pending appeal within a stipulated time.

5. We, therefore, dispose of the O.A. directing the respondent No.2 to pass orders on the appeal preferred by the applicant against the order dated 12.06.2020 within a period of four weeks from the date of receipt of copy of this order. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

/lg/pj/jyoti/mbt/