



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

Hearing by Video Conferencing

O.A. No.060/00643/2020

Chandigarh, this the 18th of September, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)
HON'BLE MS. AJANTA DAYALAN, MEMBER (A)**

Malagar Singh, S/o L.t Sh. Jagdev Singh, aged about 62 years, R/o Baba Deep Singh Nagar, Gali No. 4, Handiya Road, Barnala, Punjab – 148101.

....Applicant

(BY: Mr. G.S. Sathi, Advocate)

Versus

1. Union of India, Ministry of Railways, through General Manager, Northern Railway, Baroda House, New Delhi – 110001.
2. Divisional Railway Manager, Northern Railway, Ambala Cantt – 133001.

... .Respondents

O R D E R(Oral)

SANJEEV KAUSHIK, MEMBER (J):

1. Heard.
2. Learned counsel submits that punishment of withholding of increments for three years without cumulative effect was inflicted upon the applicant vide order dated 05.01.2015 (Annexure A-1) and accordingly, he was denied increments on 01.07.2015, 01.07.2016 and 01.07.2017. He argues that despite the fact that the period of punishment has concluded, those increments have not been restored to the applicant, which is bad in law.



3. Learned counsel further submits that before approaching this Court, the applicant submitted a representation dated 28.01.2020 (Annexure A-4) to the respondents clarifying therein that he has undergone the punishment of withholding of increments for three years without cumulative effect on 09.07.2018, therefore, the three increments be now restored to his pay. The representation, as per submissions of learned counsel, is pending consideration.
4. Finding that the representation of the applicant is pending consideration, we deem it appropriate to direct the DRM, Northern Railway, Ambala Cantt, to consider and decide the indicated representation (Annexure A-4) in accordance with rules and law. Ordered accordingly. If the applicant is found entitled, the relevant benefit be granted to the applicant, otherwise a reasoned and speaking order be passed within a period of two months from the date of receipt of a copy of this order. The order so passed be duly communicated to the applicant. Needless to say that the disposal of the O.A. shall not be construed as an expression of any opinion on the merit of the case.
5. The O.A. stands disposed of accordingly. No costs.

(AJANTA DAYALAN)
MEMBER (A)

(SANJEEV KAUSHIK)
Member (J)

Place: Chandigarh
Dated: 18.09.2020.

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