

**CENTRAL ADMINISTRATIVE TRIBUNAL  
MADRAS BENCH**

**OA 310/01526/2015**

**Dated Monday the 2<sup>nd</sup> day of November Two Thousand Fifteen**

**P R E S E N T**

**HON'BLE MR. JUSTICE B. SESHASAYANA REDDY, Member (J)**  
**&**  
**HON'BLE DR. P. PRABAKARAN, Member(A)**

S. Rajarathinam,  
S/o. Santhanam,  
No. 137, Thropathi Amman Koil Street,  
5<sup>th</sup> Street, Velachery,  
Chennai- 600 042.

... Applicant

By Advocate : M/s. R.N. Amarnath

Vs.

1. Union of India represented by  
Secretary to Government of India,  
Ministry of Water Resources,  
River Development and Ganga Rejuvenation,  
ShramSakthi Bhawan,  
Rafi Marg, New Delhi- 110 001;
2. The Chairman,  
Central Water Commission,  
SewaBhawan, R.K. Puram,  
New Delhi – 110 066.

... Respondents

By Advocate : Mr. K. Rajendran



**ORDER**

**(Pronounced by Hon'ble Mr. Justice B. Seshasayana Reddy, Member(J))**

This O.A. is filed by S. Rajarathinam Under Section 19 of the Administrative Tribunal's Act assailing the proceedings No.A-32012/1/11/E.V./2008 dated 8/10.12.2014 of the first respondent.

2. The applicant was appointed as a Junior Engineer in the office of the Chairman, Central Water Commission, New Delhi. He was promoted as Sub Divisional Engineer and was posted to Meghna Sub Division at Agarthala. He made a request to permit him to forego the promotion. The respondents rejected his representation. A chargememo came to be issued to the applicant on 11.07.2013 for his failure to join in the new place of work. The applicant submitted explanation. On a full fledged inquiry, an order of penalty came to be passed on 11.2.2014. He filed an appeal before the Secretary of Government, Ministry of Water Resource on 6.2.2015. In the meanwhile, the Under Secretary (Establishment -V) treated his leave period as Dies-non for all purposes and without any interruption of service by an order dated 11.12.2014. The present application is filed by the applicant assailing the order dated 08/10.12.2014 whereunder the punishment of reduction to the lower stage of time scale of pay for period of his balance service till his superannuation has been imposed.

3. When this O.A. came up for admission, Mr. K. Rajendran, Learned Senior Central Government Standing Counsel accepts notice on behalf of the respondents.

*B. Seshasayana Reddy*



4. Heard learned counsel appearing for both the parties.
  5. Since appeal is pending before the 1<sup>st</sup> respondent, we deem it appropriate to direct the 1<sup>st</sup> respondent to consider his appeal petition and pass appropriate orders within a period of three months from the date of receipt of copy of this order.
- There shall be no order as to costs.