

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.202/00057/2021

Jabalpur, this Friday, the 22nd day of January, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER



Brajesh Sharma, S/o Shri D.P.Sharma,
 Aged:50 years, Occupation: Service-presently posted as
 Art Teacher, Jawahar Navoday Vidhyalaya,
 Khiriya, Devat, District:Ashok Nagar (MP), Pincode

-Applicant

(By Advocate – **Ms. Preeti Sharma**)

V e r s u s

1. Commissioner Navodaya, Vidyalaya Samiti
 (An Autonomous Organization under
 Ministry of H.R.D. Deptt, of School Education
 and Literacy), Govt. of India, Head QuarterB-15,
 Institutional Area, Sector-62, Noida,
 District Gautambuddha Nagar,
 U.P. Pincode 201309

2. Deputy Commissioner,
 Navodaya Vidyalaya Samiti,
 Regional Office, A-135 A,
 Gate No.2, Alkapuri, Bhopal (MP),
 Pincode: 462024

3. Principal, Jawahar, Navoday Vidhyalaya,
 Khiriya, Devat District: Ashok Nagar,
 (MP), Pincode: **- Respondents**
 (By Advocate – **Shri Akshay Jain**)

O R D E R(ORAL)

By Ramesh Singh Thakur, JM:-

Heard.

2. This Original Application has been filed against the
 order passed by respondent No.2 dated 31.12.2019

imposing penalty of reduction of pay by one stage in the time scale of pay in Level 8 in the pay matrix for a period of one year without cumulative effect.



3. From the pleadings the facts of the case are that the applicant is working on the post of Art teacher at Jawahar Navodaya Vidhyalaya, Khiriya Devat, District Ashok Nagar (M.P.). On the basis of so called complaint by one Neelam Kumari, respondent No.2 found the nature of allegations to be of “Sexual Harassment of Women at Workplace” and vide order dated 15.07.2017 directed the concerned to initiate inquiry in the matter. After a fact finding inquiry, the applicant was served with a charge sheet vide memorandum dated 15.02.2018. Thereafter the inquiry officer submitted his report to the disciplinary authority. The disciplinary authority has passed the penalty order dated 31.12.2019 (Annexure A-1).

4. The applicant has filed the appeal against the penalty order passed by the disciplinary authority which has not been decided yet. The appeal memo is annexed as Annexure A-6 dated 24.02.2020.

5. At this stage learned counsel for the applicant submits that the applicant will be satisfied if the respondents are directed to decide Annexure A/6 in a time bound manner.



6. Learned counsel for the respondents submits that he has no objection if the Original Application is disposed of in above manner.

7. We have considered the matter and we are of the view that the natural justice will be met if the competent authority of the respondents are directed to decide the appeal memo dated 24.02.2020 (Annexure A-6) in a time bound manner.

8. Resultantly, the competent authority of the respondents is directed to decide the applicant's appeal dated 24.02.2020 (Annexure A/6) within a period of 60 days after receiving the copy of this order.

9. Needless to say that the respondents shall pass the reasoned and speaking order. Respondents shall also deal with all the contentions raised in the appeal filed at Annexure A-6.

10. With these observations, this Original Application is disposed of at admission stage itself.

(Naini Jayaseelan)
Administrative Member
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(Ramesh Singh Thakur)
Judicial Member