

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.312/2020

Dated this Friday the 13th day of November, 2020

CORAM: DR. BHAGWAN SAHAI, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Shri Nagendra Prasad Yadav,
Age 39 years, working as
Examiner of Trademarks and
Geographical Indications, Trade
Mark Office, Mumbai (under
Suspension), residing at:C-504,
Charms Corner CHS,
Khadegolvali, Kalyan (East),
Thane (Dist)-Pin - 421 306.
Email-npy2007.yadav@gmail.com
Mobile No.8655334369

... *Applicant*

(By Advocate Shri Vicky Nagrani)

VERSUS

1. Union of India
Through the Secretary,
Ministry of Commerce and
Industry, Department of
Industrial Policy and
Promotion, Udyog Bhawan,
New Delhi - 110 107.
2. Controller of General of Patents,
designs and trademarks,
Departments of Trademark
Registry, Boudhik Sampada
Bhavan, S.M. Road, Next to Antop
Hill Post Office,
Antop Hill, Wadala,
Mumbai - 400 037.
3. Joint Registrar of Trade Marks
& GI, Office of Controller of
General of Patents, designs and

trademarks, Departments of
Trademark Registry, Boudhik
Sampada Bhavan, S.M. Road,
Next to Antop Hill Post Office,
Antop Hill, Wadala,
Mumbai - 400 037. **Respondents**

ORDER

Per: Dr. Bhagwan Sahai, Member (A)

Shri Vicky Nagrani, learned counsel
appeared for the applicant.

2. This matter was heard today through
videoconference, with consent of counsel for the
applicant.

3. Heard the applicant's counsel on admission
of the OA. The applicant has challenged in this
OA the order dated 04.09.2020 of respondent No.3
disposing of preliminary objections submitted by
the applicant with reference to the Inquiry
report dated 04.10.2019.

4. Since this order/communication of
respondent No.3 is only at an intermediate stage
during the disciplinary proceedings going on
against the applicant and the disciplinary
proceedings have not yet concluded with passing
of a final order by the Disciplinary Authority,
the present OA is at a premature stage. Instead

of filing this OA against that communication, the right course for applicant is to raise grievance in this regard before the Disciplinary Authority while submitting his response to the inquiry report. Therefore, this OA not being against any final order of the DA and being at a premature stage is dismissed at admission stage itself.

5. The applicant may raise all his objections/grievances on this issue in his reply to the Disciplinary Authority with reference to the inquiry report submitted by the Inquiry Officer.

(Ravinder Kaur)
Member (J)

(Dr. Bhagwan Sahai)
Member (A)

ma.

*2D
21/12/2020*

