

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.312/2020**

Dated this Friday the 13<sup>th</sup> 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.

JD  
02/12/2020



