

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

O.A. No.  
T.A. No.

198

DATE OF DECISION 7-5-1987

Smt. Radha Verma and Anr.

Petitioner Applicants

Shri K.N.R. Pillai

Advocate for the Petitioner(s)

Versus

Delhi Administration

Respondent

Shri M.M. Sudan

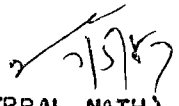
Advocate for the Respondent(s)

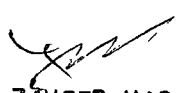
CORAM :

The Hon'ble Mr. Justice S.Zabeer Hasan, Vice-Chairman.

The Hon'ble Mr. Birbal Nath, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether to be circulated to all the Benches?

  
(BIRBAL NATH)  
A.M.

  
(S. ZAHEER HASAN)  
V.C.

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH NEW DELHI.

...

O.A. No. 929/86.

Date of Decision: 7-5-1987.

Smt. Radha Verma and  
Shri D.P. Godyal

...

Applicants

Vs.

Delhi Administration

...

Respondent.

CORAM:

HON'BLE MR. JUSTICE S. ZAHEER HASAN, VICE CHAIRMAN.

HON'BLE MR. BIRBAL NATH, ADMINISTRATIVE MEMBER

For the applicants:

Shri K.N.R. Pillai, counsel.

For the respondent:

Shri M.M. Sudan, counsel.

(Judgment of the Bench delivered by  
Hon'ble Shri Justice Zaheer Hasan).

JUDGMENT.

This is an application filed under Section 19 of the Administrative Tribunals Act, 1985. It is stated that the applicants, Smt. Radha Verma and Shri D.P. Godyal, while functioning as scrutiniser in the first year of Nursery Teachers Training, 1980 at T.T.I., Darya Ganj, did not check admission form submitted by Km. Phoolwati on 1.6.1980. The marks as secured by her in the X and XII classes were not checked with reference to her mark sheet/certificate as issued by the

Board of Secondary Education, New Delhi in the years 1978 and 1980. Miss Phoolwati had secured only 284 marks in X class examination out of 750. In the XII class examination, she had secured 228 marks out of 500. The total comes to 512 out of 1250 marks, that is to say 41% marks, whereas for admission, the required minimum marks should be 47%. So, the applicants were charged with wilful neglect of duties resulting in fraudulent admission of Kumari Phoolwati. An Enquiry was initiated against the applicants. The Inquiry Officer vide his report (Annexure P-IV) held that no charge was made out. The Disciplinary Authority disagreed with the finding of the Inquiry Officer and passed a punishment order vide No. F.3(6)(52)/SI-Vig/55769 dated 18.11.1985 awarding the penalty of reduction of pay by two stages on the applicants in their scale of pay for a period of two years. The applicants have prayed for quashing this order on the ground that it was mala fide, arbitrary and unjustified.

2. This case can be disposed of on a short point. The Inquiry Officer has held that no case is made out. The Disciplinary Authority has disagreed with the finding of the Inquiry Officer and held that a case was made out without giving any reasons. So, this order is clearly bad in law and is hereby set aside. So far as the promotion of applicant No.1 is concerned, the authorities will look into the matter and decide the case in the light of this order and on merits. Parties to bear their own costs.

7/5/87  
(BIRBAL NATH)  
ADMINISTRATIVE MEMBER  
7-5-1987.

7-5-87  
(S. ZAHEER HASAN)  
VICE CHAIRMAN  
7-5-1987