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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.296/90.

New Delhi, this the seventh day of June, 1994.

SHRI J.P. SHARMA, MEMBER(J).

SHRI B.K. SINGH, MEMBER(A).

Shri Mahavir Singh,
s/o: Shri Rattan Singh,
Trained Graduate Teacher,
Govt. Boys' Sr. Sec. School,
D-Block, Jahangirpuri,
Delhi-33.

...Applicant

By advocate : Shri B.S. Mainee, through not present.

VERSUS

1. Lt. Governor,
Union of Territory, Delhi.
2. The Secretary,
Education, Delhi Administration (Old Sectt.),
Delhi.
3. The Director (Education),
Delhi Administration,
Old Secretariat, Delhi.

...Respondents

By advocate : Mrs. Avnish Ahlawat.

ORDER (ORAL)

SHRI J.P. SHARMA:

The applicant was working as Trained Graduate Teacher in Government Boys' Senior Secondary School, Jahangirpuri, Delhi and by the impugned order dated 18-3-87 in a departmental inquiry, he was punished by imposition of withholding of increment of pay for 3 years with cumulative effect. The applicant preferred an appeal on 24-4-87 but the appeal was not decided by the time the present application was filed in February, 1990 for the relief that the aforesaid order of punishment be quashed and applicant be granted the consequential reliefs.

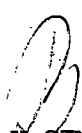
2. A notice was issued to the respondents and the respondents in the reply stated that the appeal dated 24-4-87 was

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considered by the appellate authority and by the order dated 28-2-1990, the penalty imposed on the applicant by the order dated 18-3-87, was set aside and the case was remitted to the disciplinary authority to proceed with the case de novo.

3. None is present for the applicant though we waited for the counsel Shri B.S. Mainee for a considerable time. The counsel for the respondents has pointed out that the applicant has come to the Court without waiting for the result of the appeal. In any case, the application has become infructuous because the order assailed has been quashed and the de novo inquiry has been ordered by the appellate authority. The applicant has not filed any rejoinder to the aforesaid reply filed by the respondents.

4. The application, therefore, is dismissed as infructuous, leaving the parties to bear their own costs.


(B.K. SINGH)
MEMBER(A)

'KALRA'


(J.P. SHARMA)
MEMBER(J)