

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH  
NEW DELHI.

R.A. No. 332 of 1994 in  
O.A. No. 982/90.

Date of decision \_\_\_\_\_

K.C. Gupta

.....Applicant.

Vs.

Union of India through its Secretary,  
Ministry of Defence, New Delhi.

.....Respondent.

O R D E R

The point in the R.A. has already been considered by the Tribunal and the case has not been remanded but remitted. The disciplinary authority is not to pass any order in the instant case and the Appellate Authority will pass the order. So, the question of setting aside the order of the Disciplinary Authority does not arise. Appellate Authority will decide the matter according to law. The Bench had in its mind this aspect and for this very reason instead of remanding the case, it has used the word, "remit the case to the Appellate Authority".

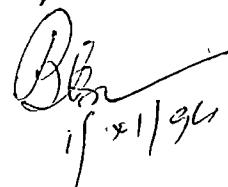
2. Only the order of the Appellate Authority goes away and the order of the Disciplinary Authority is still good unless set aside by the Appellate Authority after considering further proceedings and evidence led.

3. In view of the above, no case for review is made out and the R.A. is dismissed by circulation.

  
D.L. MEHTA  
VICE CHAIRMAN

B.K. SINGH  
AM

I agree

  
15/1/96