

CENTRAL ADMINISTRATIVE TIRBUNAL  
PRINCIPAL EBNCH  
NEW DELHI

OA NO.2885/2004

This the 3<sup>rd</sup> day of December, 2004

HON'BLE MR. JUSTICE M.A.KHAN, VICE CHAIRMAN (J)  
HON'BLE MR. S.K.MALHOTRA, MEMBER (A)

Shri Nawal Singh  
S/o Shri Ghasi Ram  
R/o 1165, Kalyan Vas,  
Delhi-110091.

...Applicant

(By Advocate: Sh. Sachin Chauhan)

versus

1. Government of NCTD  
The Chief Secretary,  
Government of NCTD,  
New Sachivalya,  
I.P. Estate,  
New Delhi.
2. The Principal Secretary,  
Trg. & Tech Education Department,  
Govt. of NCTD,  
Muni Maya Ram Marg,  
Pitampura, Delhi.
3. The Principal  
College of Art, 2022 Tilak Marg,  
Delhi.

...Respondents

*Manohar Lal*

ORDER (ORAL)

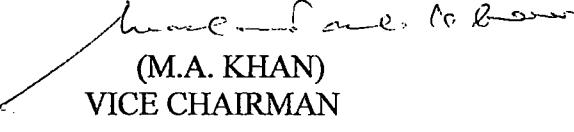
By Hon'ble Mr. Justice M.A.Khan, Vice Chairman (J)

Applicant was working as Chowkidar with the respondents. In a disciplinary proceeding he was awarded penalty of reduction to the post of Sweeper on which he was initially appointed which shall be a bar to his promotion in the grade/service from which he was reduced and also during the period he was requested to perform his duties as Sweeper and his behaviour and performance was to remain under strict observation at least for the next 5 years. No appeal has been filed by the applicant. The learned counsel for the applicant has submitted that the applicant be allowed to file the appeal against the order of the disciplinary authority. In the interest of justice, we are inclined to accept the prayer.

2. In the totality of the facts and circumstances of the case we dispose of this OA at this stage without service of notice on the respondents. We allow the applicant to submit an appeal against the order dated 9.12.2003 (Annexure A-1) impugned in this OA within a week before the competent authority of the respondents which will decide on its own merit by a reasoned and speaking order within a period of one month which shall be calculated from the date on which the copy of this order along with appeal is filed before the respondent. As a special case, which shall not be a precedent, we direct that the bar of limitation prescribed for filing of the appeal shall not come in the way of the appellate authority entertaining and deciding the appeal.

3. OA stands disposed off in terms of above order. Issue dasti.

  
(S.K. MALHOTRA)  
MEMBER (A)

  
(M.A. KHAN)  
VICE CHAIRMAN