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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

O.A.NO.492/2004

New Delhi, this the 8th day of March, 2004

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN  
HON'BLE SHRI SARWESHWAR JHA, MEMBER (A)

M.W. Khan  
s/o Shri M.A. Khan  
aged about 62 years,  
r/o 738, Khair Nagar Gate,  
Meerut City (U.P.) ... Applicant

(By Advocate: Shri R.K. Shukla)

Versus

Union of India, through

1. The Secretary,  
Ministry of Defence,  
South Block,  
New Delhi.
2. The Chief of the Army Staff,  
Army Headquarters,  
New Delhi
3. The Engineer-in-Chief, E-in-C,  
Branch Army Headquarters, DHQ.  
Kashmir House,  
P.O. New Delhi-11 ... Respondents

O R D E R (Oral)

Justice V.S. Aggarwal:-

The applicant by virtue of the present application assails the orders passed by the disciplinary authority dated 14.6.2002. By virtue of the same, penalty of compulsory retirement from service has been imposed upon him. To our query, we are informed that the applicant has already preferred an appeal against the said order which is pending for more than a year and decision in this regard has not been taken.

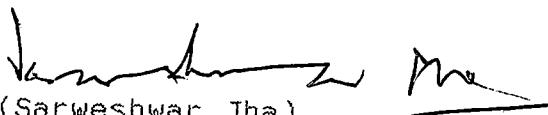
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2. Once the appeal is pending, we deem it unnecessary to dwell into the merits of the matter.

3. When rights of the respondents are not likely to be affected, it is unnecessary for us to give a notice to show cause while disposing of the present petition. Accordingly, we dispose of the present application directing respondent no.1 to ~~hear and~~ dispose of the appeal preferably within four months of the receipt of the certified copy of the present order and communicate it to the applicant. Even if the appeal has already been disposed of, it would be in the fitness of things that the order should be communicated. O.A. is disposed of.

  
(Sarweshwar Jha)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

/dkm/