

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 1310/1993

Date of decision: 11.06.1993

Shri R.S. Kundu

...Applicant

Versus

Union of India & Others

...Respondents

For the Applicant

...Shri K.B.S. Rajan, Counsel

For the Respondents

...None

CORAM:

THE HON'BLE MR. JUSTICE S.K. DHAON, VICE CHAIRMAN  
THE HON'BLE MR. S.R. ADIGE, MEMBER (A)

1. To be referred to the Reporters or not?

JUDGMENT (ORAL)  
(of the Bench delivered by Hon'ble Mr. Justice  
S.K. Dhaon, Vice Chairman)

This application is directed against the order dated 24.09.1992 whereby a minor punishment has been awarded to the petitioner.

2. It is admitted that on 12.11.1992 the petitioner preferred an appeal which is permissible under Rule 23 of the CCS(CCA) Rules. That appeal is pending. The petitioner has come to this Tribunal on the ground that since a period of six months has elapsed from the date of filing of the appeal, he is entitled to come to this Tribunal in spite of pendency of the appeal.

3. That may be a correct legal position. However, keeping in view the fact that the petitioner has been awarded a minor punishment and the point sought to be raised here is a pure question of law, we consider it appropriate that the appellate authority shall be given an opportunity to dispose of the matter.

*S.K.*

4. We direct the appellate authority to dispose of the appeal of the petitioner as expeditiously as possible but not beyond a period of six weeks' from the date of presentation of a certified copy of this order by him(the petitioner). It goes without saying that the appellate authority shall pass a speaking order. We make it clear that if the petitioner feels dissatisfied with the order of the appellate authority, he will be at liberty to come to this Tribunal again by means of fresh O.A.

5. With these directions, this application is disposed of finally but without any order as to costs.

*Adige*  
(S.R. ADIGE)

MEMBER (A)

11.06.1993

*W*  
(S.K. DHAON)  
VICE CHAIRMAN  
11.06.1993

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