

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

....

original Application No. 27 of 2001
this the 17th day of May 2001.

Hon'ble Mr. Justice R.R.K. Trivedi, Vice-Chairman,
Hon'ble Maj. Gen. K.K. Srivastava, Member (A)

Bachaspatti Gairola, Upper Division Clerk, Map Record & Issue
Office, Survey of India, R/o G-59, Hathibarkala, Survey
Estate, Dehradun.

Applicant.

By Advocate : Sri K.K. Arora.

Versus.

Union of India through Secretary Ministry of Science & Technology
New Delhi.

2. Surveyor General of India, Survey of India, Hathibarkala,
Dehradun.

3. Director, Map Publication Directorate Survey of India,
Hathibarkala, Dehradun.

Respondents.

By Advocate : Sri R.C. Joshi.

ORDER (ORAL)

JUSTICE R.R.K. TRIVEDI, V.C.

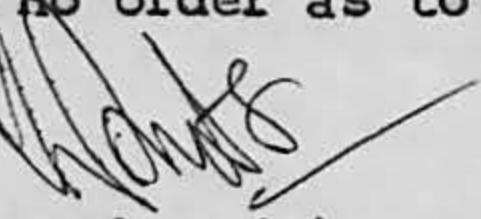
By this O.A. under Section 19 of the A.T. Act, 1985, the applicant has challenged the order dated 20.4.2001 (Annexure-3 to the O.A.) by which the applicant has been punished with dismissal from service and there is also a direction to recover the amount of Rs. 2,13,940.75/- from the applicant. The impugned order has been passed on the conclusion of the disciplinary proceedings against the applicant, against which the applicant has filed a departmental appeal on 26.4.2001, ^{memo of appeal} ~~which~~ has been annexed as Annexure-4 to the O.A. The learned counsel for the applicant has submitted that during the pendency of the appeal, the applicant has been served with a notice dated 9.5.2001 to vacate the premises



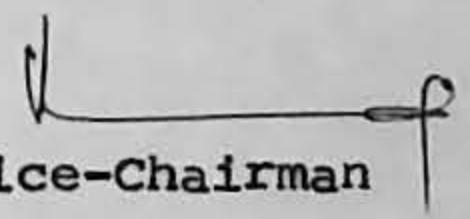
in-occupation of the applicant and incase it is not vacated, the proceedings may be initiated under the P.P. Act.

2. We have considered the submissions of the learned counsel for the applicant. However, as the departmental appeal is pending and the period of six months has not yet expired, this O.A. is not legally maintainable at this stage. However, considering the facts and circumstances of the case that the applicant has been served with a notice dated 9.5.2001 with regard to the vacation of the accommodation, it would be just and proper to direct the appellate authority to decide the appeal of the applicant expeditiously and in any case the application for interim relief shall be decided within a period of one month from the date ^{copy} of the order is filed before the ^{appellate authority in} ~~respondents~~.

3. The O.A. stands disposed of as above with no order as to costs.


Member (A)

Girish/-


Vice-Chairman