



**Central Administrative Tribunal
Principal Bench: New Delhi**

O.A. No. 2173/2021

This the 30thday of September, 2021

Through Video Conferencing

**Hon'ble Ms. Manjula Das, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Jagnnath Prasad Sinha, Principal Scientist, Group 'A'
Aged about 54 years,
S/o Late Sh. M.P. Sinha
R/o 11A, Scientist Apartment, IARI
Pusa Campus,
New Delhi - 110012

...Applicant

(By Advocate: Shri M.K.Bhardwaj)

Versus

1. Indian Council of Agricultural Research,
Through its Secretary,
Krishi Bhawan, New Delhi
2. Indian Agricultural Research Institute,
Through its Director,
Pusa Campus, New Delhi - 110012

...Respondents



ORDER (ORAL)

Hon'ble Ms. Manjula Das, Chairman

This Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, seeking the following reliefs:-

“a. To quash and set aside the impugned Memorandum F.No.3(24)/206-Vig-I dated 30.04.2019 issued by Respondent No. 1 and Office Order No. PGS-1/12-1/FM/2016 dated 28.02.2017 and direct the respondents to restore all the benefits including the credit of intellectual work as carried out by the applicant being Post Graduate School Faculty/Chairman of PH.D students.

b. To declare the action of respondents in initiating disciplinary action against the applicant on the allegation of Sexual Harassment as illegal and quashed the impugned Memo No. F.No.3(24)/2016-Vig-II dated 19.01.2017 and release all consequential benefits as if the applicant has never been subjected to any disciplinary action.

c. To direct the respondents to take disciplinary action against the applicant as per Section 14 of Sexual Harassment of Women at Workplace (Prevention, Prohibition & Redressal) Act, 2013.

d. To direct the respondents to pass appropriate orders of exoneration of applicant in view of the findings recorded in the report dated 10.12.2018 of Sexual Harassment Committee with all consequential benefits.

e. Pass an order awarding exemplary costs of the present proceedings in favour of the Applicant and against the Respondents

f. Pass any other order(s) deemed fit in the facts and circumstances of the case and in the interest of justice.”

2. At the outset, learned counsel for the applicant Sh. M.K.Bhardwaj fairly submitted that the applicant



will be satisfied if his representations dated 03.06.2019 and 22.07.2021 sent to the respondents, are decided in a time bound manner and also an opportunity be given to the applicant of being heard personally or through his legal assistant.

3. In view of the above, without going into the merits of the matter, the OA is disposed of at the admission stage itself, by directing the respondents to give the applicant an opportunity of being heard personally or through his legal assistant within a period of six weeks and decide the aforesaid representations made by the applicant by passing a reasoned and speaking order within a period of three months from the date of receipt of a copy of this order, under intimation to the applicant. In the meanwhile, no adverse order be passed and no coercive action be taken against the applicant. There shall be no order as to costs.

(Mohd.Jamshed)
Member (A)

/sd/vb/akshaya/

(Manjula Das)
Chairman