

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A./100/1815/2019
M.A./100/1600/2021

New Delhi, this the 12th day of July, 2021

Hon'ble Mr. R.N. Singh, Member (J)
Hon'ble Ms. Aradhana Johri, Member (A)



Ramayana Singh Meena
S/o Late Shri Ramashwar Dayal
R/o B-91/S-2, Balaji Apartments,
Dilshad Colony, Delhi-110095

... Applicant

(Through Shri S.K. Pandey, Advocate)

Versus

1. Union of India through
Ministry of Ayurveda, Yoga and Naturopathy,
Unani, Siddha and Homeopathy,
Ayush Bhawan, B Block,
GPO Complex, INA
New Delhi-110023
2. Central Council for Research in Ayurvedic Sciences,
Through its Director
Jawahar Lal Nehru Bhartiya Chikitsa Evam Homeopathy
Anusandhan Bhawan,
61-65, Institutional Area, Opp. D Block,
Janakpuri, New Delhi-110058

... Respondents

(Through Shri S.M. Julfiqar Alam, Advocate)

ORDER (ORAL)

Hon'ble Mr. R.N. Singh, Member (J)

In the present OA, the applicant has challenged the order dated 6.03.2019 (Annexure A-1), stated to have been passed by respondent no.2 in purported compliance of the directions of this Tribunal in order dated 5.12.2018 in OA

4443/2018 and order dated 7.01.2019 of the Hon'ble High Court of Delhi. Para 14 of the said impugned order dated 6.03.2019 (Annexure A-1) reads as under:



“14. This speaking order has been issued in compliance of the order dated 05.12.2018 from the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi and Hon'ble High Court of Delhi's order dated 07.01.2019. In view of position explained above and in terms of Rule 19 of CCS (CCA), 1965, Shri Ramayan Singh Meena cannot be reinstated till the pendency of CBI Appeal CRL.A./15/2018 in the matter in the High Court of Sikkim.”

2. Pursuant to notice from this Tribunal, the respondents have filed reply opposing the OA.

3. During pendency of the OA, the applicant has filed MA 1600/2021 vide which he has placed on record a copy of the order/judgment dated 24.03.2021 in the aforesaid Criminal Appeal No.15/2018 (Annexure A-1). Paras 21 to 23 of the order/judgment dated 24.03.2021 in the aforesaid appeal read as under:

“21. The Prosecution after making imputations against the Respondents are required to prove its case beyond reasonable doubt. In the absence of any cogent and clinching evidence against any of the Respondents under the offences charged with, I find no infirmity in the conclusion of the Learned Trial Court except for conviction of A2 under Section 471 of the IPC which was however dealt with in Crl. A. No.29 of 2016.

22. Consequently, the Appeal is dismissed.

23. No order as to costs.”

4. Learned counsel for the applicant submits that subsequent to the aforesaid judgment of the Hon'ble High Court in Appeal under reference, the applicant has preferred

a representation dated 5.04.2021 (Annexure A-2 to MA) seeking his reinstatement. However, no action has been taken on such representation of the applicant.



5. Learned counsel for the applicant submits that in view of dismissal of the appeal, the applicant is entitled for reinstatement.

6. *Per contra*, the learned counsel for the respondents submits that some SLP has been filed against the aforesaid order/judgment of the Hon'ble High Court. However, he is not aware of such appeal number and status thereof. The fact, however, remains that after dismissal of the aforesaid appeal, no decision has been taken by the competent authority on the representation of the applicant dated 5.04.2021.

7. In view of the aforesaid, without going into the merits of the case, with the consent of the learned counsels for the parties, the present OA is disposed with direction to the respondents to consider the applicant's aforesaid representation dated 5.04.2021 (Annexure A-2 to MA) and to dispose of the same by passing an appropriate speaking and reasoned order as expeditiously as possible and in any case

within six weeks of receipt of a copy of this order.

Aforesaid MA and OA stand disposed of accordingly.



(Aradhana Johri)
Member (A)

/dkm/mbt/sarita/

(R.N. Singh)
Member (J)