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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No.1193 of 1987

Raghbir Singh Applicant

Versus

Union of India & Others Respondents

Hon. Mr. D.K. Agrawal, J.M.

Hon. Mr. A.B. Gorthi, A.M.

(By Hon. Mr. D.K. Agrawal, J.M.)

This application under Section 19 of the Administrative Tribunals Act, 1985 seeks to challenge the order of the Disciplinary Authority dated 10.1.1986 inflicting the order of punishment of compulsory retirement from service and confirmed in appeal vide order dated 13.12.86.

2. The charge against the applicant Raghbir Singh was to the effect that on 24.8.84 while going out from the Depot he was found carrying Govt. stores in his pocket. The recovery was made on the spot by the Gatekeeper. The factum of recovery was admitted by the delinquent employee by means of statement dated 24.8.84. Therefore the Disciplinary Authority inflicted the punishment of compulsory retirement which was confirmed in appeal by the Appellate Authority.

3. We have perused the record. We have also heard the learned counsel for the respondents. In view of the admission of the delinquent employee, we do not find any scope to interfere with the findings of guilt

Dr Agrawal

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recorded against the applicant. Once misconduct is proved or admitted, the Tribunal has no jurisdiction to interfere with the quantum of punishment. Consequently, we do not find any ground to interfere in this case.

4. In the result, the claim petition is dismissed without any order as to costs.

Amirajit

Member (A)

DK. Grewal

Member (J) 6.8.91.

Dated the 6th Aug., 1991.

RKM