

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

ORIGINAL APPLICATION NO. 583 OF 1987

Vijai Pal Applicant

Versus

The Union of India & others.... Respondents.

Hon'ble S. Zaheer Hasan-VC(J)
Hon'ble D. S. Misra- AM

This is an application under Section-19 of the Administrative Tribunal Act No. XIII of 1985 challenging the order of dismissal dated 14th October, 1985. He has filed an appeal which has not yet been disposed of. The applicant was working as ^{Conservancy} Safai Wala at Station Head Quarter, Meerut Cantt. A charge sheet was submitted against him for levelling false allegations against the superior officer by writing a private Inland letter in most insolent manner to Lt. Colonel V.P. Singh, Administrative Commandant Station Headquarters Meerut Cantt that Safai Walas are being appointed ^{after taking service}. After departmental proceedings, the applicant was dismissed from service. The case of the applicant was thrown at our mercy with the contention that the punishment awarded is excessive. The applicant had put in services ^{for} about 9 years as Conservancy Safai Wala. He was a low paid employee. He has written a letter, of course for which there is no justification, but the punishment awarded, under the

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circumstances of the case, is not commensurate with the gravity of the charge. The learned counsel for the applicant states that the applicant will not claim for any salary from the date of dismissal till the date of his re-instatement. So, we substitute the following punishment ~~order~~ in ~~place~~ of the dismissal. The petitioner will be re-instated in service, but he will not get any pay from the date of dismissal till the date of his re-instatement and his three future increments will be stopped. With these observations, the application is disposed of with costs on parties.

Shm
25.2.88
Member (A)

25.2.88
Vice-Chairman.

Dt/-25.2.1988/
Shahid.