

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

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Registration O.A. No. 1308 of 1992

Krishan Kumar Sharma Applicant.

Versus

Union of India
and others Respondents.

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Hon. Mr. K. Obayya, Member(A)
HON. Mr. Maharaj-din, Member(J)

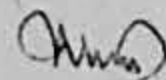
(Hon. Mr. K. Obayya, Member(A))

The applicant who is employed in the Small Arm Factory, Kanpur was proceeded with departmentally. A charge-sheet dated 1.7.1981 was served and on denial of charge, the enquiry proceeded. The enquiry officer submitted his report holding the charge as established, thereafter by the order dated 24.3.1982 the disciplinary authority imposed a punishment of stoppage of 2 increments with cumulative effect. According to the applicant, he preferred an appeal to the appellate authority on 29.3.1982 and that appeal has not been disposed of upto now. A copy of the appeal is on record as Annexure-A 1.

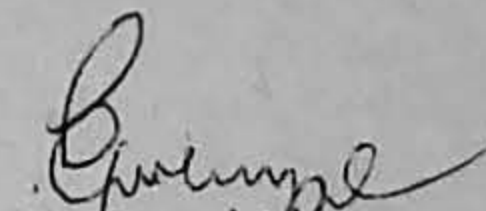
2. In this application, the applicant has prayed for a direction to the respondent no.3 to decide his appeal dated 29.3.1982 and quash the punishment order dated 24.3.1982 and also enquiry report dated 25.11.1981. The punishment imposed against the applicant is a minor punishment which was done long back in the year 1982. The applicant's appeal is also of 29.4.1982 but it is not known why his

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appeal has not been disposed of ,perhaps it must have been disposed of. It is also not known whether the appeal was submitted to the competent authority. Annexure- A 1 which is ^{the} ~~an~~ appeal, addressed to Chairman/Secretary Ordnance Factories Board, Calcutta. If the above authority is the appellate authority and in case the appeal has not been disposed of till today, it is hoped that it would ^{be} disposed ~~of~~ of expeditiously as matters of this kind cannot be allowed to drag on endlessly. If the appeal has not been received or was not preferred to the appellate authority, there is no case for the applicant now to seek its disposal. The punishment imposed is a minor punishment, and applicant cannot agitate about it after a delay more than 10 years. But for the above observation, we do not consider it as a fit case for our interference. As the matter is very old and the applicant could have sought alternative remedy long back and the question of limitation will also arise in this case because of which we are unable to give any direction. The application is disposed of as above, with no order as to costs.



Member (A)


Member (A)

Dated: ^{17th} May, 1993.

(n.u.)