

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 16th day of November, 2000

Original Application No. 548 of 1994

CORAM :-

Hon'ble Mr. Rafiuddin, J.M.

Hon'ble Mr. S. Biswas, A.M.

M.P. Agrawal, Surveyor Asst.

G.E. (M.E.S.) K. Ranikhet, Resident of
Banharanwali Kothi, Kiraoli,
District Agra.

(Sri Rakesh Verma, Advocate)

• • • • Applicant

Versus

1. Union of India through Secretary
Army Headquarters, New Delhi.
2. Engineer in Chief, Army Headquarters,
New Delhi.
3. Chief Engineer,
Headquarters Central Command,
Lucknow.
4. Commander Works Engineer (Air Force),
Maharajpur, P.O. Air Field,
Gwalior.

(Sri Satish Chaturvedi, Advocate)

• • • Respondents

O R D E R (oral)

By Hon'ble Mr. Rafiuddin, J.M.

The applicant at the relevant time was serving as Surveyor Assistant Grade-I, under the G.E. Ranikhet, when he was served with a memo of charge dated 16-6-1990. The applicant after departmental enquiry conducted by the Inquiry Officer was ordered to be compulsorily retired vide order dated 6-2-1996 passed by the disciplinary authority on the report of the Inquiry Officer. The

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applicant has filed this OA for quashing the aforesaid punishment order dated 6-2-1996 and for other consequential benefits.

2. It has, however, been pointed out by the learned counsel for the applicant that after passing of the order dated 6-2-1996, the applicant filed statutory appeal before the appellate authority, the Secretary, Ministry of Defence, New Delhi on 12-3-1996 (Annexure-A-26 to the OA). The appeal was not considered by the appellate authority and no order was passed due to pendency of this OA. The learned counsel for the applicant, therefore, submits that the OA may be disposed of by issuing a direction to the respondent no.1 to consider and pass a suitable order on the appeal filed by the applicant within the time fixed by this Tribunal. Learned counsel for the respondents has no objection.

3. We accordingly dispose of this OA with a direction to the Secretary, Ministry of Defence, Govt. of India, ~~who would~~^{to} consider and dispose of the appeal filed by the applicant against his punishment order as per Rules within a period of four months from the date of communication of this order. The applicant may annex a copy of his aforesaid appeal alongwith a copy of this order before the appellate authority. There shall be no order as to costs.

gauri Rath Muddan
Member (A) Member (J)

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