


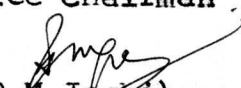
Coram : Hon'ble Mr. P.H. Trivedi : Vice Chairman
Hon'ble Mr. P.M. Joshi : Judicial Member

25/1/1989

Heard Mr.V.S.Mehta and Mr.B.R.Kyada learned advocate for the applicant and the respondent. Learned advocate for the applicant presses for admission and interim relief on the ground that only a part of one of the four charges is proved and the punishment of reversion ~~xxx~~ which requires the petitioner to work under his junior is therefore excessively disproportionate and harsh. No inconvenience or damage will be caused to the respondent if he is allowed in his present post without reversion until his appeal filed ~~which has~~ been disposed of by the appellate authority ^{which} having no powers to stay the order's operation imposed by the disciplinary authority, ^{So} and he has approached the Tribunal for admission and interim relief considering the nature of the proceeding in the enquiry and the punishment imposed.

After hearing the learned advocates, we find that he has admittedly not exhausted his remedy by obtaining the orders of the appellate authority disposing of the appeal. It is true that the appellate authority may not intervene regarding the operation of the punishment but it cannot be expected that interference at this stage is called for when no irreparable harm is shown to have been done which cannot be compensated ^{if and} when the final orders are passed accordingly. The petition is not admitted and interim relief is not found to be justified.


(P.H.Trivedi)
Vice Chairman


(P.M.Joshi)
Judicial Member