

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA. 144 of 1996

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.
Hon'ble Mr. M.S. Mukherjee, Administrative Member.

S UMA MAHESWARI

-VS-

UNION OF INDIA & ORS.

Date of Hearing: 13.2.96.

Date of Order: 13.2.96

O R D E R

Mr. M. S. Mukherjee, AM

1. Mr. P. C. Maity, 1d. counsel, for the petitioner and Mr. P. Chatterjee, 1d. counsel, for the respondents are present and we have heard them in full.
2. In the absence of direction from the Court, respondents have not got the opportunity to file reply as yet.
3. Mr. Maity submits that the impugned order of the Disciplinary Authority dt. 16.8.95 and the impugned order of the Appellate Authority dt. 30/31-12/95, Annexure A.7 to the petition, are unjust and he further submits that the impugned Appellate Order has been passed by the Appellate Authority *suo moto* whereas this detailed appeal dt. 19.1.96 vide Annexure-A.8 to the petition, still remains to be processed. Mr. Chatterjee submits that this is still *f* under consideration. The petitioner prays for a direction to quash the entire disciplinary proceedings including the impugned disciplinary order and the order of the Appellate Authority.

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4. After hearing the ld. counsel for both the parties, we direct that in the fitness of things, the appellate Authority should first dispose of the appeal. Annexure-A.8 to the petition. Respondents shall give full opportunity to the applicant to a personal hearing and the respondents shall dispose of the same through a speaking order ^{ad.} till such disposal of the A-8 has taken place, the impugned orders of Penalty and Appellate Authority shall remain stayed.

5. Be it noted that we have not adjudicated on any of the points ^{on} ~~of~~ merits.

6. The petition is disposed of at the admission stage itself. No cost.

M. S. Mukherjee
(M. S. Mukherjee)
Member (A)

A. K. Chatterjee
(A. K. Chatterjee)
Vice-Chairman.