

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

No. OA 161 of 96

Present : Hon'ble Mr.Justice S.N.Mallick, Vice-Chairman
Hon'ble Mr.S.Dasgupta, Administrative Member

NARAYAN NONIA

VS

UNION OF INDIA & ORS.

For the applicant : Dr.S.Sinha, counsel

For the respondents: Mr.M.M.Mallick, counsel

Heard on : 2.4.98

Order on : 2.4.98

O R D E R

S.N.Mallick, VC

We have heard the 1d. counsel for both the parties. Admittedly a Disciplinary Proceeding was initiated against the petitioner by the respondents authorities and the Disciplinary Authority imposed a punishment of removal on the petitioner and the Appellate Authority dismissed the appeal and on-revision the Disciplinary Authority's order was set aside and ~~penalty~~ ^{penalty} of reversion from Assistant Driver to Khalasi was imposed upon the petitioner. It is surprising to find that in the Original Application there was no challenge to the Disciplinary Proceeding nor to the charge sheet nor to the penalty imposed by the Disciplinary Authority. On the other hand the principal prayer was to change the Enquiry Officer and to give the increased subsistence allowance to the petitioner ~~likk~~ during the continuance of the Enquiry Proceeding. In view of the ~~above~~ admitted facts the present application has become infructuous and as such it is dismissed. But this will not prejudice the right ~~to~~ of the petitioner to file a fresh application against the subsequent order passed by the revisional authority according to law. No order as to costs.

MEMBER (A)

VICE-CHAIRMAN