

CENTRAL ADMINISTRATIVE TRIBUNAL

UNLISTED

CALCUTTA BENCH

M. A. No. 395/96 (OA No 1427/96)

Present : Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman

Hon'ble Mr. M.S. Mukherjee, Administrative Member

DIPAK KR. MITRA

VS

UNION OF INDIA & ORS.

For the applicant : Mr. B. Sinha Roy, counsel

For the respondents: Ms. U. Sanyal, counsel

Heard on : 18.12.96

Order on : 18.12.96

O R D E R

A.K. Chatterjee, VC

The applicant has filed this MA seeking an interim order. A penalty was imposed on the petitioner reverting him to the lower grade for 2 years by a notice dated 16.10.95. His punishment was reduced to one year's reversion to lower grade with non-cumulative effect by an order dated 19.9.96. By an earlier order dated 24.11.95 the petitioner was imposed the penalty as per notice dated 16.10.95 and also transferred from Burdwan to Bolpur. The order dated 24.11.95 passed on the basis of the order dated 16.10.95 cannot obviously be ~~sustained~~ as the order of 16.10.95 has been modified. In such circumstance we direct that the order dated 24.11.95 shall be stayed but the respondents will be free to pass a suitable order of reversion consistent with the revised punishment order dated 19.9.96. MA is thus disposed of. Counsel for the petitioner states that in OA he has challenged only the transfer order from Burdwan to Bolpur and did not challenge the Disciplinary Proceeding or the punishment imposed upon him. In such circumstances we direct that the OA be amended as may be advised and listed for hearing on 21.1.97 instead of 7.4.97 as already fixed. Respondents to file reply to the OA in the meantime.

*Member*  
MEMBER (A)

*A.K. Chatterjee*  
VICE-CHAIRMAN