

CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH, JODHPUR

O.A. No.01/2010 with MA 01/2010

Jodhpur this the 9th January, 2013

CORAM

**Hon'ble Mr. Justice Kailash Chandra Joshi, Member (J) and
Hon'ble Ms. Meenakshi Hooja, Member (A)**

1. Khinya Ram S/o Shri Ghewar Ram
Driver, Arid Forest Research Institute
New Pali Road, Jodhpur
R/o House No. 3, Type-III, Block-I
AFRI Colony, Pali Road
Jodhpur

.....Applicant

(Through Advocate Mr Vijay Mehta)

Versus

1. Indian Council of Forestry Research & Education,
New Forest, Dehra Dun – 248 006 through its Director General
2. Director, Arid Forest Research Institute,
New Pal Road, Jodhpur
3. Secretary, Indian Council of Forestry Research & Education, New Forest
Dehra Dun – 248 006

.....Respondents

(Through Advocates Mr. Mr. Vinit Mathur, ASGI with Mrigraj Singh)

ORDER

(Oral)

Per Hon'ble Mr Justice K.C. Joshi, Member (J)

Heard the MA for condonation of delay. MA is allowed for the reasons recorded in the application.

2. By way of this OA, applicant Shri Khinya Ram prayed for quashing the Annexure A/1 for imposition of penalty of reduction in salary, against which the applicant submitted an appeal that too has been dismissed vide order dated 27/11/2007. Against the order of the appeal the applicant submitted revision petition but the revision petition has not been decided. Aggrieved by the order of the imposition of penalty and non-consideration of the revision petition the present OA has been filed.

3. In reply to the above OA the respondents averred that appeal of the applicant has been decided by the competent authority and order of the competent authority has been

conveyed to him. However, pendency of the revision petition has not been denied by the respondents and averred that the pendency of the revision petition is not a tenable ground to set aside the order of imposition of penalty.

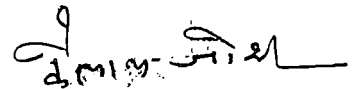
4. Both the counsels admit that the revision petition of the applicant is pending before the competent authority and it has not been decided though it was filed way back in the year 2009 and for the disposal of the same reminder letters dated 24.1.2009, 24.3.2009 and 24.6.2009 were also sent to the concerned authority.

5. Heard both the counsels on the matter in issue and in our considered opinion when the revision petition filed by the applicant is pending before the competent authority who decides it in a stipulated time, but for non-consideration of the above revision petition the applicant has approached this Tribunal. Accordingly, while disposing of the OA, it is directed that respondents shall decide the revision petition of the applicant within 4 months from today by a speaking order and shall convey the same to the applicant.

6. OA is disposed off without costs.



(MEENAKSHI HOOJA)
ADMINISTRATIVE MEMBER



(JUSTICE K.C. JOSHI)
JUDICIAL MEMBER

SS