

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH  
ERNAKULAM

DATE OF DECISION:

13th FEBRUARY, 1990

PRESENT

HON'BLE SHRI S.P. MUKERJI-VICE CHAIRMAN

&

HON'BLE SHRI A.V. HARIDASAN-JUDICIAL MEMBER

ORIGINAL APPLICATION NO.119/90

K.K. Jacob .. Applicant

Vs.

The Superintending Engineer  
The Commander Works Engineers,  
Office of the Commander Works  
Engineers, Kattaribagh,  
Naval Base P.O.  
Cochin-68 20 04.

.. Respondents

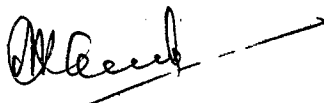
Counsel for the applicant .. Mr. Ashok M Cherian  
Counsel for the respondents .. Mr.P.V.Madhavan Nambiar,  
SCGSC

O R D E R

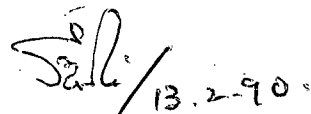
(Hon'ble Shri S.P.Mukerji,Vice Chairman)

We have heard the learned counsel for the  
~~and the respondents~~  
applicant and gone through the application which is  
<sup>^</sup>  
against the impugned order at Annexure A-13 of 2nd  
January, 1990 imposing after disciplinary proceedings  
the punishment of withholding of one increment without  
cumulative effect. The learned counsel for the applicant  
states that the applicant has not filed any statutory  
appeal as he is likely to suffer <sup>immediately</sup> in his next increment  
<sup>^</sup>  
for one year, if he does not get a decision from the  
Tribunal. We are afraid that this argument is not  
convincing because in case the appeal is allowed, the  
applicant would be entitled to get arrears of increment

which <sup>will be</sup> ~~had been~~ withheld. In the facts and circumstances,  
~~to be~~  
we see no reason to admit this application at this stage  
and close the same with the direction that the applicant  
should file an appeal against the impugned order within  
a period of two weeks from today and the respondents  
shall get the appeal disposed of in accordance with  
law condoning any marginal delay which may have <sup>occurred</sup>. There  
<sup>is</sup>  
will be no order as to costs.



(A.V. HARIDASAN)  
JUDICIAL MEMBER

 13.2.90

(S.P. MUKERJI)  
VICE CHAIRMAN

13.2.90

Ksn.