

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. 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  
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 in his next increment  
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 ~~had been~~ <sup>with the</sup> withheld. In the facts and circumstances, 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. There will be no order as to costs.

  
(A.V. HARIDASAN)

JUDICIAL MEMBER

  
(S.P. MUKERJI)

VICE CHAIRMAN

13.2.90

Ksn.