

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A.No. 365/2005.

Monday this the 30th day of May, 2005.

CORAM:

HON'BLE MR. K.V. SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR. N RAMAKRISHNAN, ADMINISTRATIVE MEMBER

Santha Manohar, LDC,
National Savings Organisation,
Government of India, Kerala Region,
residing at 48/205 A, Raj Bhavan, Elamakkara P.O.,
Cochin-26. Applicant

(By Advocate Shri P.Sanjay)

VS.

1. Union of India represented by Secretary, (Expenditure and Finance), Ministry of Finance, New Delhi.
2. The National Savings Commissioner, National Savings Organisation, Nagpur.
3. The Regional Director, National Savings Organisation, Trivandrum.
4. P.R.Kalita, Formerly Deputy Regional Director, National Savings Organisation, Ernakulam.
5. The National Savings Commissioner/Appellate Authority, National Savings Organisation, Govt.of India, Ministry of Finance, Department Economic Affairs, CGO Complex, Nagpur. Respondents

(By Advocate Shri Varghese P. Thomas, ACGSC)

The application having been heard on 30.5.2005
the Tribunal on the same day delivered the following:

ORDER(Oral)

HON'BLE MR. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant who was working as Lower Division Clerk under the 3rd respondent was served with a memo of charges, pursuant to which penalty of reduction in the scale of pay was imposed on the applicant by reducing the same by two stages from

Rs.4700/- to 4500/- in the time scale of pay of Rs.4500-100-6000 for a period of three years with effect from 21.7.2004 with a further direction that the applicant will not earn increments of pay during the said period and on the expiry of the said period the reduction will not have the effect of postponing her future increments of pay. The penalty has been inflicted by the authority who has personally appeared in a criminal case and deposed against applicant. The applicant preferred a statutory appeal challenging the said order before the 5th respondent as early as on 6.8.2004 which is not yet disposed of. Aggrieved by the said action, the applicant has filed this O.A seeking the following reliefs:

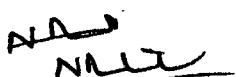
- a) To call for the record pertaining to A3 and peruse the same;
- b) To declare that Annexure A-3 order is illegal and arbitrary and is made without application of mind;
- c) To direct the 5th respondent to pass appropriate orders in A5 Appeal within a prescribed time limit.

2. When the matter came up before the Bench, Shri P.Sanjay, learned counsel appeared for the applicant and Shri Varghese P.Thomas, learned ACGSC appeared for the respondents. Counsel for the applicant submitted that the applicant would be satisfied if a limited direction is given to the 5th respondent to consider and dispose of the appeal within a time frame. Learned counsel for the respondents submitted that he has no objection in adopting such a course of action.

3. In the interest of justice, we direct the 5th respondent to consider and dispose of the Appeal (A4) within a time frame of three months from the date of receipt of a copy of this order.

4. O.A. is disposed of as above at the admission stage itself. In the circumstances, no order as to costs.

Dated the 30th May, 2005.


N. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


K.V. SACHIDANANDAN
JUDICIAL MEMBER