

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.50/2008
This the 30th day of July 2008

HON'BLE MR. M. KANTHAIAH, MEMBER JUDICIAL.
HON'BLE DR. A.K. MISHRA, MEMBER ADMINISTRATIVE.

Hari Lal Yadav, aged about 37 years, son of Sri Chandra Pal, R/o Baburiha, Majra Jagdishpur, P.O. Bhueymau, Raibareilly.

...Applicant.

By Advocate: Shri R.C. Sharma.

Versus.

1. Union of India through Secretary, Ministry of Information and Broadcasting, Shastri Bhawan, New Delhi.
2. Director General, Directorate of Field Publicity, Ministry of Information and Broadcasting, East Block-IV, Level III, R.K. Puram, New Delhi.
3. Director, Directorate of Field Publicity, U.P. (C.E.) Region, IIInd Floor, Sector-H, Kendriya Bhawan, Aliganj, Lucknow (Information & Broadcasting Ministry).
4. Joint Director, Directorate of Field Publicity, U.P (C.E.) Region, IIInd Floor, Sector-H, Kendriya Bhawan, Aliganj, Lucknow (Ministry of Information and Broadcasting).
5. Field Publicity Officer, Allahabad. (Ministry of Information and Broadcasting) Allahabad Cantt.

... Respondents.

By Advocate: Shri S. Kumar for Shri Yogesh Kesharwani.

ORDER (Oral)

BY MR. M. KANTHAIAH, MEMBER JUDICIAL.

Heard both the parties.

2. The applicant has filed this O.A. to quash the punishment imposed by the Disciplinary authority covered under (Annexure-1) Dt. 30.08.2006 and (Annexure-3) Dt. 13.09.2006 under which he was

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reverted to the post of Peon/Chowkidar from the post of Driver. It is also the case of the applicant that he made a representation against the said order to the Appellate authority by way of representation covered under (Annexure-A-2) Dt. 12.03.2007, which is still pending.

3. The learned counsel for respondents opposed this claim, on the ground that without disposal of an appeal of the applicant issuing of any direction to the respondents is not at all maintainable.

4. At this stage, learned counsel for applicant submits that he made representation covered under (Annexure-2) Dt. 12.03.2007, which is still pending for consideration. He also sought disposal of his pending representation, by treating it as an appeal with reasoned orders. When the representations of the applicant are still pending, issuing any direction to the respondent authorities, allowing the claim of the applicant at this stage is not at all justified.

5. In view of the above circumstances, OA is disposed of with a direction to the Respondent No.2 to dispose of the pending representation of the applicant covered under (Annexure-A-2) Dt.12.03.2007, by treating it as an appeal and pass a reasoned order as per rules within a period of two months from the date of the receipt of the certified copy of this order. The applicant is also directed to enclose the copy of his representation covered under (Annexure-A-2) along with the copy of this order to the Respondent No.2. No order as to costs.


(Dr. A.K. MISHRA)
MEMBER (A)


(M. KANTHAIAH)
MEMBER (J) 30.07.08