

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
OA.NO.410/96

Mumbai the 3rd day of August, 2001.

CORAM:HON'BLE SMT.LAKSHMI SWAMINATHAN, VICE CHAIRMAN
HON'BLE SMT.SHANTA SHAstry, MEMBER(A)

Mrs.Shobhana Joshi,
R/o. 5/4 'Jaykar Smruti',
Aarey Road, Goregaon(W),
Mumbai - 400 062.

... Applicant

By Advocate Shri P.A.Prabhakaran

V/s.

1. Director General,
All India Radio,
Akashwani Bhavan,
Parliament Street,
New Delhi - 110 001.
2. Deputy Director General(Admn),
Directorate General,
All India Radio,
Akashwani Bhavan,
Parliament Street,
New Delhi - 110 001.
3. Station Director,
All India Radio,
Akashwani Bhavan,
Mumbai - 400 020.
4. Shri P.B.Naik,
Ex.Pay and Accounts Officer,
All India Radio,
Mumbai - 400 020.
Kashi Niwas,
Lokmanya Tilak Road,
Ghatkopar West,
Mumbai - 400 077.(Inquiry Officer)
5. Shri Babasaheb Ahmed Sanadi,
Retired Extension Officer,
A-14, Anuj Apartment,
Parvat Nagar,
S.V.Road, Dahisar(E),
Mumbai - 400 068.
6. Deputy Director General,
Western Zone,
All India Radio,
Akashwani Bhavan,
Mumbai - 400 020.

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7. Shri M.D.Gaikwad,
the then Station Director,
All India Radio, Mumbai
Now Deputy Director General,
All India Radio,
Akashwani Bhavan,
Parliament Street,
New Delhi - 110 001.

8. Shri S.B.Shinge,
Ex.Senior Administrative Officer,
All India Radio,
Akashwani Bhavan,
Mumbai - 400 020.

... Respondents

By Advocate Shri V.D.Vadhavkar proxy
counsel for Shri M.I.Sethna

(ORAL)(ORDER)

Hon'ble Smt.Lakshmi Swaminathan, Vice Chairman(J)

Learned counsel for applicant has submitted that during the pendency of this application which has been filed on 16/4/96, which was mainly with regard to punishment orders passed against the applicant after holding departmental proceedings against her, the respondents have issued memorandum dated 20/8/99 (page-154 of the paperbook). He has submitted that by this order the impugned disciplinary proceedings have been dropped and the major penalty imposed on the applicant of reduction of pay by one stage from Rs.2600/- p.m. to Rs.2,540/- p.m. as on 31/10/93 in the payscale of Rs.1400-2600 for a period of two years has been set aside. In this order, it is further stated that the pay of the applicant is to be restored in the above mentioned payscale w.e.f. 31/10/93. This order has been issued in pursuance of the Appellate Authority's order dated 19/5/99.

2. In the light of the aforesaid orders passed by the respondents themselves, learned counsel for the applicant submits that the main reliefs prayed for by the applicant in this OA has

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been already granted except to the extent of the reliefs prayed for in 8(i) to (iv). These relate to the reversion order as well as the payment of arrears and promotion.

3. In the facts and circumstances of the case, we do not consider it proper to grant any interest to the applicant on the arrears and this claim is rejected. Apart from this claim of interest, the respondents ought to have passed necessary orders consequential to the Appellate Authority's order dated 19/5/99 which we have been told has not been done so far.

4. In the facts and circumstances of the case, learned counsel for applicant submits that he does not press MP-938/2000 but would be satisfied if a direction is given to respondents to grant consequential benefits to the Appellate Authority's order with particular reference to reliefs claimed in paragraphs 8(ii) to 8(iv).

5. Taking into account the facts and circumstances of the case, the OA is disposed of with the following directions:-

i) The respondents to pass necessary and appropriate orders consequential to the Appellate Authority's order dated 19/5/99, keeping in view the observations made above, in accordance with relevant law, rules and instructions.

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ii) Necessary orders as above shall be passed by the respondents within two months from the date of receipt of copy of this order with intimation to the applicant.

No order as to costs.

Shanta Shastray

(SMT. SHANTA SHAstry)
MEMBER(A)

Lakshmi Swaminathan

(SMT. LAKSHMI SWAMINATHAN)
VICE CHAIRMAN

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