

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 24.1.1994.

OA 612/92
(OA 206/87)

AILANI TIRATH

... APPLICANT.

Vs.

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant ... NONE.

For the Respondents ... NONE.

PER HON'BLE MR. O.P. SHARMA, MEMBER (A).

Applicant Ailani Tirath has filed this application u/s 19 of the Administrative Tribunals ^{Act,} praying that the order dated 9.1.86 imposing penalty of censure and the order dated 3.11.86 by the Appellate Authority upholding the imposition of penalty of censure may be quashed.

2. An enquiry under Rule 14 of the CCS (CCA) Rules was held against the applicant on the basis of the charge-sheet dated 28.6.85. The Enquiry Officer held the applicant as not guilty of the charges framed against him. The disciplinary authority, however, disagreed with the enquiry officer ^{and} held the charges against the applicant as proved. He thereupon imposed a minor penalty of censure on the applicant. The applicant preferred an appeal against the imposition of the said penalty, which was rejected by the appellate authority. The applicant's case is that the disciplinary authority was not justified in disagreeing with the enquiry officer and imposing the penalty of censure on him.

3. None is present on behalf of the parties. We have carefully gone through the records. The disciplinary authority has given ~~out~~ the reasons for holding that the charges against the applicant are proved. We find no reason to disagree with the

disciplinary authority. The appellate authority has also not in any way erred ⁱⁿ _{by} upholding the findings and the penalty imposed by the disciplinary authority. The penalty imposed is only that of censure which is a minor penalty and appears to be justified in the circumstances of the case.

4. Since there is no merit in this application, it is dismissed with no order as to costs.

(O.P. SHARMA)
MEMBER (A)

D.L. MEHTA)
VICE CHAIRMAN