

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,  
JAIPUR.

Date of Order: 17.12.93.

O.A.645/92.

Jagdish Chandra

...Applicant.

Versus.

Union of India & Ors.

...Respondents.

None present for the applicant.

Mr. Manish Bhandari- Counsel for respondents.

CORAM :

Hon'ble Mr. Justice D.L.Mehta- Vice Chairman.

Hon'ble Mr. B.B.Bahajan- Admn. Member.

PER HON'BLE MR. JUSTICE D.L.MEHTA :

Applicant filed this O.A. and prayed that the disciplinary proceedings initiated in pursuance of the memorandum dated 25.9.80 be quashed. It was also submitted that to initiate the proceedings only against the applicant sparing Shri S.C.Gupta is violative of Articles 14 & 16 of the Constitution of India. It was also prayed that the disciplinary proceedings may be quashed as it was conducted in utter disregard of the principles of natural justice and that the office order dated 10.7.85 whereby the penalty of stoppage of next two increments for a period of two years without cumulative effect was imposed maybe quashed. It was further prayed that the order (Annexure.9) dated 10.2.86 whereby the appellate authority rejected the appellant's appeal may be quashed.

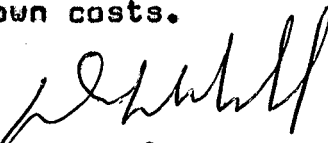
2. We have gone through the record. The applicant was charged with three allegations referred to in Annexure to memo dated 25.9.80 (Annexure.A/2). He has only been found guilty in Article.1 and for the remaining articles 2 & 3, he has been exonerated. Article-1 relates to refusing to perform and not performing the duties referred to in the said Article.

3. Enquiry was conducted and enquiry officer has submitted the detailed report (Annexure.A/4) and found that the applicant was guilty of only one charge. The disciplinary authority imposed the punishment vide Annexure.A/7 dated 10.7.85 of stoppage of his next increment for a period of two years without cumulative effect. The applicant filed an appeal which was also rejected.

4. We have gone through the record and there is sufficient material on record to find the applicant guilty of the allegation mentioned in Article-1 of the charge sheet.

5. We do not find any infirmity in the order passed by the disciplinary authority as well as the appellate authority. The O.A. is accordingly, rejected. Parties to bear their own costs.

  
(B.B. Mahajan )  
Adm. Member.

  
(D.L. Mehta )  
Vice Chairman.