

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

ORDERS OF THE BENCH

Date of Order: 01.04.2015

OA No. 291/00194/2015

Mr. Raghunandan Sharma, counsel for applicant.

The present Original Application is filed seeking a direction to the respondents to place the applicant in the appropriate pay grade and also pay the arrear with interest @ 24% per annum. The second relief sought by the applicant is for further direction to the respondents to clear all the dues of the applicant as mentioned in para 8 of the O.A. with interest @ 24% per annum. He also sought relief to direct the respondent no. 2 to decide the appeal and representations of the applicant.

2. The grievance of the applicant is against the inaction of the respondents in not granting proper pay scale / grade and arrears thereof and other claim as mentioned in paragraph 8 of the O.A.

3. Learned counsel for the applicant contended that the applicant was served with three charge-sheets. First charge sheet is regarding missing of 250 second class mail/express

tickets. The Disciplinary Authority imposed the punishment of withholding of increment for two years. The applicant preferred an appeal against the order of punishment and the appellate authority reduced the punishment to withholding of increment for one year. The applicant was further issued a minor penalty charge sheet for irregularities committed by him while working as CBS, Charki Dadri. The Disciplinary Authority imposed the punishment of withholding of increment temporarily for a period of two years. The applicant preferred a revision petition. The revisional authority reduced the punishment to withholding of increment for a period of one year without effect of postponing future increment. The applicant was also issued charge-sheet for minor penalty while he was working as CBS, Charkhi Dadri. The Disciplinary Authority imposed the penalty of withholding of his increment temporarily for a period of one year. He filed a revision petition against this penalty also. The revisional authority reduced the punishment to withholding of increment for a period of six months without effects of postponing future increments. Thus, it is stated in the OA that it is clear from the three charge-sheets that the applicant was awarded total punishment of withholding the increment for two and half annual pay grade increment.

4. It is also contended by the learned counsel for the applicant that the authorities have wrongly fixed the pay of the applicant in the pay scale of Rs. 15680/- instead of Rs. 15690/- by order dated 23.12.2014 (Annexure A/2). He also submits that as per the pay scale schedule of the respondents, applicant is entitled of pay scale of Rs. 15690/- and, therefore, the deduction was made wrongly. It is also pointed out that the applicant has filed an appeal before the respondent no. 2 i.e. General Manager, Northern Western Railway, Jawahar Circle, Jaipur on 26.01.2015 (Annexure A/3) but the same has not been decided so far. He has also filed a representation dated 11.02.2014 (Annexure A/1) before the respondent no. 2, which is also pending consideration.

5. In the light of the fact that the appeal of the applicant dated 26.01.2015 (Annexure A/3) challenging the fixation of pay and the representation dated 11.02.2014 (Annexure A/1) are pending consideration before the 2nd respondent, we are inclined to dispose of this Original Application in limine without issuing notice to the respondents by directing the 2nd respondent to consider and pass appropriate reasoned and speaking order in accordance with the provision of law on the appeal of the applicant dated 26.01.2015 (Annexure A/3) as well as representation of the applicant dated 11.02.2014 (Annexure A/1) within a

period of three months from the date of receipt of a copy of this order.

6. The applicant shall produce a copy of this order along with the paper book / OA with all annexures before the 2nd respondent within a period of fifteen days from today.

7. The present Original Application is disposed of accordingly. There shall be no order as to costs.



(ANIL KUMAR)
ADMINISTRATIVE MEMBER


(JUSTICE HARUN-UL-RASHID)
JUDICIAL MEMBER

Kumawat