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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR
BENCH, JABALPUR

Original Application No. 212 of 2006

Jabalpur, this the 24th day of April, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman
Hon'ble Mrs. Meera Chhibber, Judicial Member

Chhitar Singh, S/o. late Sumneri Lal,
Date of birth 15.7.1955,
Presently working as Asstt. Engineer (B/R),
R/o. P-249/1, Officers' Colony,
Ridge Road, Jabalpur (MP).
Applicant

(By Advocate – Shri V. Tripathi)

V e r s u s

1. Union of India, through its Secretary,
Ministry of Defence, New Delhi.
2. Engineer-in-Chief, Engineer-in-Chief's
Branch, Army Headquarters, DHQ,
Kashmiri House, Rajaji Marg,
PO : New Delhi – 110 011.
3. Headquarter, Chief Engineer,
Central Command, Lucknow
226 002 (UP)

Respondents

O R D E R (Oral)

By Mrs. Meera Chhibber, Judicial Member -

By this OA the applicant has challenged the charge sheet dated 25.2.2002, departmental enquiry and the punishment order dated 11.5.2005, whereby he has been imposed the penalty of reduction of basic pay from Rs. 8900/- p.m. to Rs. 8700/- p.m. in the time scale of pay of Rs. 6500-200-10500/- for a period of one year, with immediate effect. Further it is made clear that he would earn the increment of pay during the period of reduction raising his pay from Rs. 8700/- to Rs.

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8900/- and on expiry of such period the reduction will have effect of postponing his future increments of his pay (pay 52 to 54).

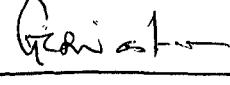
2. It is stated by the applicant that aggrieved by the order of the disciplinary authority he had filed an appeal dated 19.7.2005 to the Secretary, Ministry of Defence, through proper channel, but the same has not been passed thereon, he has no other option but to file the present OA.

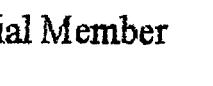
3. We have heard counsel for the applicant and perused the pleadings.

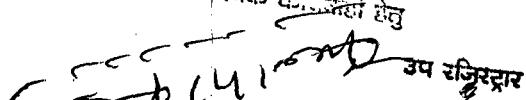
4. The order dated 11th May, 2005 is passed by the Engineer-in-Chief. It is stated by the applicant, he has already filed the statutory appeal. Since grievance of the applicant is, his appeal has not yet been decided, we are of the opinion that this OA can be disposed of at the admission stage itself, without giving notices to the other side and without going into the merits of the case by directing the respondents to consider the appeal if already filed by the applicant and to pass a reasoned and detailed order thereon within a period of three months from the date of receipt of copy of this order under intimation to the applicant. We do so accordingly. In case the applicant is still aggrieved it shall be open to him to challenge the said order in accordance with law.

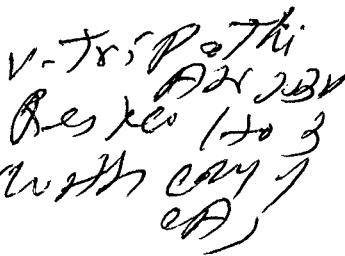
5. OA stands disposed of at the admission stage itself with above directions. No order as to costs.


(Mrs. Meera Chhibber)
Judicial Member


(Dr. G.C. Srivastava)
Vice Chairman

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प्रांतिक सं. ओ/न्या..... जबलपुर, दि.....
(1) जनिया, अप्पा..... नामिया, जबलपुर
(2) लाकेश्वर, श्री..... लाकेश्वर, जबलपुर
(3) धर्मपाल, श्री..... धर्मपाल, कानपुर
(4) कंदामाल, श्री..... कंदामाल, कानपुर
सूचना एवं आवश्यक कागजाती हैं।


उप संचित्तार


V.T.S, P.O. No. 1234
Res. No. 1234
(With copy)
eA


26.4.06