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CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH

CIRCUIT COURT SITTING AT INDORE

Original Application No. 969 of 2005

Indore, this the 28th day of July, 2006

Hon'ble Shri Justice B. Panigrahi, Chairman  
Hon'ble Dr. G.C. Srivastava, Vice Chairman

Lala Ram Lodha,  
Senior Section Officer,  
Under Sr. Accounts Officer,  
Western Railway,  
Survey and Construction Deptt.,  
Ratlam (MP). ... Applicant

(By Advocate - Shri A.N. Bhatt)

V e r s u s

Union of India & Others :  
Represented by :

1. The General Manager,  
Western Railway,  
Accounts Office,  
Churchgate, Mumbai-20.
2. Chief Finance & Accounts Officer,  
(Survey and Construction),  
Western Railway, HQ Office,  
Churchgate, Mumbai-20. ... Respondents

(By Advocate - Shri Y.I. Mehta, Sr. Advocate with Smt. S.H. Mehta)

O R D E R (Oral)

By Justice B. Panigrahi, Chairman.-

The applicant is working as Section Officer in the scale of Rs.6500-10500 in the Office of the Senior Accounts Officer (S&C) Department at Ratlam. He faced a departmental inquiry, in which penalty of stoppage of increment with cumulative effect was imposed. Challenging the said order of punishment, he filed an OA before this Tribunal being OA No.236/2000 and this Tribunal quashed the order of punishment and remanded the matter for fresh inquiry, to the disciplinary authority. After the matter was remanded back, it was again heard and the disciplinary authority seems to have maintained the same punishment. Being aggrieved by the order of punishment, the applicant preferred an appeal before the competent

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authority, which did not yield any result except its dismissal. Therefore, he filed the present OA challenging the order of the appellate authority.

2. Mr. Mehta, learned Sr. Advocate appearing for the respondents has submitted at the outset that this application is not maintainable in as much as it having been suffered from material suppression of facts. The applicant did ~~not~~ challenge the appellate authority's order by filing a revision-petition, which was also dismissed, but in this application the filing of revision-petition has not been mentioned, nor the findings of the revisional authority has been challenged.

3. We find that the respondents have filed a copy of the revisional order along with their reply as annexure R-2. We have gone through the revisional authority's order carefully, in which it has been stated that the appellate authority has taken a lenient view by imposing the penalty of withholding of increment for a period of one year. That being so, we also maintained the revisional authority's order ~~not~~ by directing the applicant to undergo the punishment of stoppage of one increment without cumulative effect. With this direction, the OA is disposed of. No costs.

G.C.S.

(Dr. G.C. Srivastava)  
Vice Chairman

B. Panigrahi

(B. Panigrahi)  
Chairman

rkv.

प्राप्तकर्ता राम ओ/ज्ञा..... जनलाल दि.....

- (1) जनलाल दि.....
- (2) राम ओ/ज्ञा.....
- (3) राम ओ/ज्ञा.....
- (4) राम ओ/ज्ञा.....

सूचना दिया गया

Dr. Bhatt Ad  
Ratlam  
Y. J. Mehta  
Dr. D. D. Joshi

26/11/86