

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 374 of 1999

Jabalpur, this the 31st day of October, 2003

Hon'ble Shri Shanker Raju, Judicial Member
Hon'ble Shri Sarveshwar Jha, Administrative Member

Chhotelal Patel,
son of Shri M.S. Patel.

... Applicant

(By Advocate - Ku. P.L. Shrivastava on behalf of Smt.
S. Menon)

V e r s u s

The Union of India,
Through Secretary,
Department of Telecommunication,
New Delhi,
and two others.

... Respondents

(By Advocate - None)

O R D E R (O r a l)

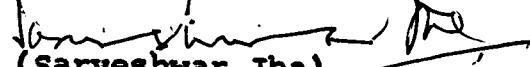
By Shanker Raju, Judicial Member -

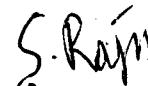
Applicant who has been denied of payment of increments and salary for the period from 1992 to 1997, has been proceeded against in a major penalty proceedings under Rule 14 of CCS(CCA) Rules, 1965 for unauthorised absence. It has been informed by the learned counsel for the applicant that in pursuance of the enquiry report where the charges have been partly proved vide the information dated 05.08.2003 the disciplinary authority has forwarded the enquiry report to the applicant and the final decision is yet to be taken.

2. Accordingly, we are of the considered view that in case the applicant, on a final order passed by the respondents, is aggrieved, the present claim which pertains to increments and salary would be consequential relief which can be agitated in the new proceeding. In any way, as the final decision is yet to be taken by the disciplinary authority in the

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Departmental enquiry case, the relief claimed in this OA
final\w
will depend upon the decision taken in the Departmental
enquiry case. Thus the Original Application is dismissed
with liberty to the applicant that as and when cause of
action arise, he may agitate the matter afresh, in accord-
ance with the rule.


(Sarveshwar Jha)
Administrative Member


S. Raju
(Shanker Raju)
Judicial Member

"SA"

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Smt. S. Meenon Adv. TBP

Shri B. Dasgupta Adv. TBP

T. B. Saha
9.12.03


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