

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH  
CHANDIGARH**

**O.A. No.060/00844/2014**

**Decided on: 24.09.2014**

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)  
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Gopal T. Shriyan son of Timmpa Shriyan present resident of House No. 704/4 Bhatinda Cantt, CSD Report, Bhatinda.

.....**Applicant**

**Versus**

1. Union of India through Secretary, Ministry of Defence, New Delhi.
2. The General Manager, Canteen Stroes Department, Adelphi, 119-M.K. Road, Mumbai.
3. The Joint General Manager, Canteen Stores Department, Adelphi, 119, M.K. Road, Mumbai.
4. Area Manager, Canteen Stores Department, Bhatinda.

.....**Respondents**

Present: Mr. Jatin Khurana, proxy counsel for the applicant

**Order (Oral)**

**By Hon'ble Mr. Sanjeev Kaushik, Member(J)**

1. By way of the present O.A., the applicant has sought issuance of a direction to the respondents to re-designate him as LDC instead of peon, as punishment of reduction has already been suffered by him.
2. It is apparent from a perusal of a letter dated 18.06.2014 (Annexure C-5) that the respondents themselves have

recommended the case of the applicant to the Higher authority for his designation as LDC instead of peon.

3. Learned counsel submits that vide order dated 31.03.2008 (Annexure C-1), the applicant had been given the punishment of reversion to the post of peon for a period of six years with immediate effect with further direction that he will not earn increment of pay during the period of reduction and that on the expiry of this period, the reduction will have the effect of postponing his future increments of pay. He contends that though the punishment period of six years has expired on 31.03.2014, the respondents have not restored the applicant to the post of LDC. Applicant had approached the Tribunal against the punishment awarded to him, which was dismissed. Against the dismissal order, he moved the Hon'ble High Court in CWP No. 11772-2009 (O&M) which was disposed of vide order dated 10.07.2014(Annexure C-6), directing the respondents to consider the aspect of quantum of punishment, within a period of three months.
4. Since the orders were passed by the Hon'ble High Court on 10.07.2014 only and three months' time was granted to the respondents to do the needful and the respondents themselves have recommended the case of the applicant vide letter dated

18.06.2014, we are not inclined to interfere in the matter, at this stage.

5. In view of the above, the O.A. is dismissed at this stage, with liberty to the applicant to take a legal recourse at appropriate time.

**(UDAY KUMAR VARMA)**  
**MEMBER (A)**

**PLACE: Chandigarh**  
**Dated: 24.09.2014**

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**(SANJEEV KAUSHIK)**  
**MEMBER (J)**