

**CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI**

O.A. No. 2992/2014  
M.A. No. 3663/2017  
M.A. No. 3664/2017  
M.A. No. 3665/2017  
M.A. No. 2569/2014

The 18<sup>th</sup> day of July, 2018

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)  
HON'BLE MR. A.K. BISHNOI, MEMBER (A)**

Sunil Jauhari  
Age 46 years  
S/o Shri Ramesh Chandra Verma  
Film/Video Editor,  
Doordarshan Kendra (News),  
New Delhi. .. Applicant

(By Advocate: Shri D.R. Roy)

Versus

Union of India  
Through Secretary,  
Ministry of Information & Broadcasting,  
New Delhi. .. Respondent

(By Advocate: Shri D.S. Mahendru)

**ORDER (ORAL)**

**By Mr. V. Ajay Kumar, Member (J)**

Heard both the sides.

2. MA 3663/2017 filed for seeking condonation of delay in filing  
MA No.3664/2017, is allowed.

3. MA 3664/2017 filed for seeking restoration of O.A.  
No.2992/2014 is also allowed and the O.A. is restored to its original

file and, as prayed by both the counsel, the O.A. itself taken up for hearing.

4. MA No. 2569/2014 filed for seeking condonation of delay in filing the O.A. No.2992/2014, is allowed, in the circumstances and in the interest of justice.

5. The applicant, a Film/Video Editor under the respondent – Doordarshan, was imposed with a penalty of withholding of three increments, in pursuance of a Charge Memorandum and a departmental enquiry thereto, vide the order dated 07.05.2010 of the Director General, Doordarshan. The appeal of the applicant was rejected by the Appellate Authority, i.e. CEO of Prasar Bharti, vide order dated 07.06.2013. In pursuance of the said disciplinary order, the pay of the applicant was refixed vide order dated 23.07.2012.

6. The O.A. has been filed by the applicant seeking the following relief(s):

- “a) to quash and set aside the impugned order dated 07.05.10 of DA implemented on 23.07.2012 and that dated 07.06.2013 of appellate authority.
- b) to direct Respondent to restore the due wages on its level as it would have normally been from month to month.
- c) to direct the Respondent to release the total unpaid amount together with interest @ 18% p.a. and minimum Rs.15,000/- (fifteen thousand only) as cost of this forced litigation.
- d) grant any other or further relief/(s), writ or order, or direction in favour of Applicant and against the Respondent

as deemed fit and proper in the facts and circumstances of the instant case.”

7. Though the applicant seeking quashing of Disciplinary Order dated 07.05.2010 of the Director General, Doordarshan and the Appellate Order dated 07.06.2013 of the CEO, Prasar Bharati, he failed to implead the said Disciplinary and Appellate Authorities as parties to the O.A. He made the Union of India through the Secretary, Ministry of Information and Broadcasting, New Delhi alone as the sole respondent in the O.A.

8. No O.A. challenging the disciplinary and appellate order is maintainable without making the Disciplinary and Appellate Authorities as parties to the O.A. The submission of the learned counsel for the applicant that since he made the Union of India as the respondent in the O.A., there is no necessity to make the Disciplinary Authority and the Appellate Authority as respondents in the O.A., is unacceptable.

9. In the circumstances and for the aforesaid reasons, the O.A. is dismissed. Pending MAs, if any, also stand disposed of. No order as to costs.

**(A.K. BISHNOI)**  
**Member (A)**

**(V. AJAY KUMAR)**  
**Member (J)**

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