

**Central Administrative Tribunal  
Principal Bench, New Delhi**

O.A. No.3123/2018

Tuesday, this the 21<sup>st</sup> day of August, 2018

**Hon'ble Mr. K.N. Shrivastava, Member (A)  
Hon'ble Mr. S.N. Terdal, Member (J)**

Shri Anand Kumar Garg (Aged about 59 years)

Group B

s/o Sh. Rameshwar Garg  
r/o 1372-B/31, Pragati Nagar  
Gauhana Road, Sonipat,  
Haryana – 131001

Presently working as Foreman (Electrical)  
c/o EE (E&M) HP-I, Delhi Jal Board  
WTP Bawana, Delhi

..Applicant

(Mr. Sanjeev Kumar Gupta, Advocate)

Versus

1. Delhi Jal Board  
Govt. of NCT of Delhi  
Through its Chairman  
Varunala Phase II  
Karol Bagh, New Delhi – 110 005

2. Chief Executive Officer  
Delhi Jal Board  
Varunala Phase II  
Karol Bagh, New Delhi – 110 005

..Respondents

**O R D E R (ORAL)**

**Mr. K.N. Shrivastava:**

The applicant is working as Foreman (Electrical) in Delhi Jal Board (DJB). He was subjected to disciplinary proceedings pursuant to Annexure A-3 charge memo dated 12.06.2014 issued to him. The disciplinary proceedings ultimately culminated in passing of the impugned Annexure A-

1 order dated 29.12.2017 by the disciplinary authority imposing the penalty of "reduction to three lower stage in the time-scale of pay for the period upto 30.04.2019 i.e. the date of retirement of Sh. Anand Kumar Garg, with further directions that the charged official will not earn increment of pay during the period of such reduction, and on the expiry of such period, the reduction will have the effect of postponing the future increments of his pay" on the applicant.

2. The applicant preferred his statutory appeal before the appellate authority, i.e., DJB, vide his Annexure A-7 appeal dated 08.02.2018, which has not yet been decided by the appellate authority.
3. Being aggrieved by this, the applicant has approached the Tribunal in the instant O.A. praying for the following reliefs:-

"8.1 Allow the present O.A. of the Applicant and quash/set aside the impugned penalty Order No.246 bearing Dispatch No.DJB/Disp/Vig/CS- (B)-53/2014/16/2017/8436 dated 29-12-2017 issued by Respondent No.2 (Annexure A-1) with all consequential relief thereupon.

8.2 Quash/set aside the Disagreement Note No.DJB/VIG./02/ 2016 issued by Respondent No.2 delivered vide letter No. DJB/Vig./ Major/CS-(B)-56/2014/16/Ack./2016/ 10576 dated 27-12-2016 (Annexure A-2)."

3. Considering the fact that the statutory appeal of the applicant has not yet been decided by the appellate authority, we are of the view that the O.A. can be disposed of by issuing a direction to the appellate authority to dispose of the appeal within a given time frame.

4. Accordingly, we dispose of this O.A., at the admission stage, in the following terms:-

- a) The appellate authority, i.e., DJB is directed to dispose of Annexure A-7 appeal of the applicant dated 08.02.2018, within a period of four weeks from the date of receipt of a copy of this order, by passing a reasoned and speaking order.
- b) The applicant shall have liberty to take recourse to appropriate remedy, as available to him under law, in case he remains dissatisfied with the order to be passed by the appellate authority.

**( S.N. Terdal )**  
**Member (J)**

**August 21, 2018**  
/sunil/

**( K.N. Shrivastava )**  
**Member (A)**