

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.191/2018.

Date of Decision: 08.03.2018.

CORAM: HON'BLE SHRI ARVIND J. ROHEE, MEMBER (J)
HON'BLE SHRI R. VIJAYKUMAR, MEMBER (A)

Shri Rajan Singh Kharra
 Inspector of Customs (Preventive Officer)
 In the office of the Principal Commissioner
 of Customs (General) New Custom
 House, Ballard Estate, Fort,
 Mumbai 400 001.
 R/at B-205, B-Wing, Horizon,
 Raheja Vihar, Powai,
 Mumbai 400 076. ... *Applicant*
(By Advocate Shri Anupam Chattopadhyay)
Versus

1. Union of India,
 Through the Secretary,
 Ministry of Finance,
 North Block, New Delhi 110 011.
2. The Chief Commissioner of Customs
 Mumbai Zone 1, New Custom
 House, Ballard Estate, Fort,
 Mumbai 400 001.
3. The Principal Commissioner of Customs
 (General) New Custom House,
 Ballard Estate, Fort,
 Mumbai 400 001. ... *Respondents*

ORDER (Oral)
Per : Shri A.J. Rohee, Member (J)

Today when the matter is called out
 for admission, heard Shri Anupam
 Chattopadhyay learned Advocate for the
 Applicant. We have carefully perused the

case record.

2. The Applicant is presently working as Inspector of Customs (Preventive) under Respondent No.3. He has grievance regarding the charge-sheet dated 11.11.2013 (Annexure A-1) issued by the Respondent No.2 - Disciplinary Authority, in which penalty of reduction in pay by two stages for a period of two years with effect from the date of the order without cumulative effect and not adversely affecting his pension is passed in terms of Rule 14 of the CCS (CCA) Rules vide order dated 31.03.2016 (Annexure A-2). This order has been challenged by applicant before the Appellate Authority - Respondent No.3 who by order dated 28.11.2016 (Annexure A-3) dismissed the appeal thereby confirming the order passed by the Disciplinary Authority.

3. It is stated that the Appellate Authority in the order stated that Revision against said order may be preferred to Respondent No.1. In pursuance thereof the applicant preferred Revision Petition to the Respondent No.1 on 20.04.2017 (Annexure A-4). It is stated that the same is still

pending consideration since nothing has been heard in this behalf from the other end.

4. It is obvious that since the applicant has exhausted the remedy of revision, although it is optional, he will have to wait for the orders to be passed by the Revisionary Authority. In view of above, the OA can be disposed of with appropriate directions to meet the ends of justice.

5. The Respondent No.1 is, therefore, directed to consider and pass a reasoned and speaking order on the pending Revision Petition dated 20.04.2017 (Annexure A-4), in accordance with law within a period of eight weeks from the date of receipt of certified copy of this order.

6. The order so passed shall be communicated to the applicant at the earliest, who will be at liberty to approach appropriate forum, in case his grievance still persists.

7. The OA stands disposed of with the aforesaid directions at the admission stage, without issuing notice to the respondents and without making any comments on merits of the claim.

8. Registry is directed to issue certified copy of this order to both the parties at the earliest for taking appropriate steps in the matter.

(R. Vijaykumar)
Member (A)

(A.J. Rohee)
Member (J)

dm.