

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No.1743/2013

New Delhi this the 10th day of January, 2019

Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)

Shri Sushil Kumar Nimesh,
A.E. (C)
R/o F-23/26, Sector-3,
Rohini, Delhi-110085
Presently posted at:-
Asst. Engineer (Civil)
Rohini Project Division No.10,
Rohini Zone, Madhuban Chowk,
DDA, Aged about 52 years

- Applicant

(By Advocate: Mr. Malaya Chand)

VERSUS

Delhi Development Authority,
Through Vice Chairman,
Vikas Sadan, INA,
New Delhi

- Respondent

(By Advocate: Mr. Manish Garg)

ORDER (Oral)

Ms. Nita Chowdhury:

When this matter is taken up for hearing, it is noticed that the applicant had asked for the following reliefs:-

“A) i) To quash and set aside the Impugned Memo (Annexure-A/1) and Set Aside the orders of Disciplinary Authority (Annexure-A/2), Appellate Authority (Annexure-A/3).

OR

B) To direct the Revisionary authority to dispose of the Revision appeal by passing a speaking and reasoned order by dealing with the documents relied by applicant and definitely within four weeks from receipt of copy of the order.

C) Such other/further order this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of

the case be also passed in favour of the petitioner and against the respondents, in the interest of justice.

It is also noticed that the applicant had not asked for any interim relief and had stated that he reserves its right to approach the Tribunal in case any need so arises.

2. It is admitted by the applicant today that the respondents have completed all the actions in this matter about the disciplinary proceedings and the revisionary authority has also passed the detailed order dealing with the revision proposed by the applicant. As there was no interim order asked for by the applicant in this matter, hence the objection with regard to the order passed by the department while OA had been instituted cannot be considered. Since the applicant is aggrieved by the decision taken by the respondents, he is given liberty to challenge the same, if so advised, in fresh proceedings, in accordance with law.

3. With the above order, the OA is dismissed with the aforesaid liberty. No order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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