

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

O.A. No.409/2019

Tuesday, this the 5th day of February 2019

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Mr. Mohd. Jamshed, Member (A)**

Tej Bahadur Singh
son of Late Tameshwar Singh
Aged about 57 years
Presently working as Executive Director (Projects)
Durgapur Steel Plant, Steel Authority of India
Ltd., Durgapur – 713203 (West Burdwan)
Resident at A1/12, Aurobinda Avenue
Durgapur – 713 204
District West Burdwan
(West Bengal)

..Applicant

(Mr. Neeraj Kumar Jain, Senior Advocate and Mr. Bharat Singh &
Mr. Umesh Prasad, Advocates with him)

Versus

1. Union of India, Ministry of Steel,
Udyog Bhawan,
New Delhi – 110 007
Service through Secretary, Steel
2. Steel Authority of India Ltd.
Ispat Bhawan, Lodhi Road
New Delhi – 110 053
3. Board of Directors
Steel Authority of India Ltd.
Ispat Bhawan, Lodhi Road
New Delhi – 110 053
4. Chairman
Steel Authority of India Ltd.
Ispat Bhawan, Lodhi Road
New Delhi – 110 053

..Respondents

(Mr. Krishan Kumar, Advocate for respondent No.1)

ORDER (ORAL)**Justice L. Narasimha Reddy:**

The applicant is working as an Executive Director in Durgapur Steel Plant, which is under the control and administration of Steel Authority of India, the 2nd respondent herein. Disciplinary proceedings were initiated against him by issuing imputation of charge on 20.08.2018. It was alleged that on account of lack of diligence on the part of the applicant, a blast has occurred in some of the furnaces of the plant and maintenance of furnaces was not 'up to the mark'. The applicant submitted his explanation. Not satisfied with the same, the disciplinary authority passed an order 27.10.2018 imposing the penalty of 'reduction of pay by two stages in time scale of pay for a period of two (2) years without cumulative effect and not adversely affecting his terminal benefits', upon the applicant. Since it is a minor penalty, the disciplinary inquiry was not conducted.

2. The applicant availed remedy by filing appeal dated 20.11.018. His grievance is that the appellate authority did not pass any order so far and in the meanwhile, the selections are taking place for promotion to higher positions. This O.A. is filed challenging the imputation of charge as well as order of punishment.

3. We heard Mr. Neeraj Kumar Jain, learned senior counsel for applicant and Mr. Krishan Kumar, learned counsel for 1st respondent at the admission stage itself.

4. Though the applicant has challenged the very imputation of charge as well as order of punishment, we are not inclined to interfere with the same at this stage. The reason is that the appeal preferred by him is pending before the appellate authority. The scope of interference with the order of punishment by the appellate authority is wide enough. It is stated that the case of the applicant is not being considered for promotion to higher position on account of operation of the order of punishment. We are of the view that the appellate authority can be required to pass orders in the appeal within a reasonable time.

5. We, therefore, dispose of the O.A. directing the appellate authority to pass orders in the appeal, preferred by the applicant, within four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

February 5, 2019
/sunil/