

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

O.A. No.1010/2019
M.A. No.1887/2019

Friday, this the 13th day of September 2019

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

Narendra Kumar Jha
Analyst C in NTRO (Group A)
Aged about 35 years
s/o Shri Sudhakar Jha
r/o C/o Mamkur Chairman
r/o House No.603, Ghitorni Village
New Delhi – 110 030

(Mr. Suresh Sharma, Advocate)

..Applicant

Versus

1. NTRO through its
Chairman, NTRO, Block III
Old JNU Campus, New Delhi – 110 067
2. Shri Pradeep Kapur, IPS
Joint Secretary (Admn.)
NTRO, Block III
Old JNU Campus, New Delhi – 110 067
3. Controller of Administration
NTRO, Block III
Old JNU Campus, New Delhi – 110 067
4. Ms. Latha Gopakumar
Director (Establishment)
NTRO, Block III
Old JNU Campus, New Delhi – 110 067

..Respondents

(Mr. Hanu Bhasker, Advocate)

O R D E R (ORAL)**Justice L. Narasimha Reddy:**

This applicant is an officer in National Technical Research Organization (NTRO), the 1st respondent herein. He felt aggrieved by the alleged action of the respondents in preventing him from entering the office. He has also challenged the letters dated 03.01.2019, 24.01.2019 and 12.02.2019 issued to him. Relief is also claimed as regards the non-payment of salary.

2. The applicant contends that though he was discharging his duties to the best of his ability and to the satisfaction of the respondents, he was unnecessarily prevented from joining the duty, and the impugned letters were issued without any basis.
3. The respondents have filed counter affidavit. It is stated that the conduct and behavior of the applicant was found to be abnormal and in that behalf, steps were initiated to get his medical condition verified by the concerned hospital.
4. We heard Mr. Suresh Sharma, learned counsel for applicant and Mr. Hanu Bhasker, learned counsel for respondents, at length.
5. The O.A. has undergone several stages and we passed orders on different occasions. The net result is that the applicant has been subjected to medical examination and he

was found to be normal, in all respects. It is also brought to our notice that the applicant has since been permitted to join duties and he is attending to duties without any problem. Therefore, necessity for us to deal with the matter in detail does not exist.

6. As an offshoot of the action initiated by the respondents, a charge memo was issued alleging that the applicant did not appear for medical examination. For all practical purposes, the very basis for that ceases to exist. It is, however, for the respondents to take a final decision in this behalf, keeping in view the end result of these proceedings.

7. We, therefore, close the O.A. taking note of the fact that the applicant has since been taken on duty. We direct the respondents to take decision on the charge memo issued to the applicant, keeping in view the fact that no serious misconduct has been found on his part and at the most, it was an expression of displeasure. If any salary, which is otherwise payable, is due, the same shall be extended to the applicant within a period of two months 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

September 13, 2019
/sunil/