

**Central Administrative Tribunal
Principal Bench**

OA No.2086/2019

New Delhi, this the 16th day of August, 2019

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

Mrs. Monika Aggarwal
Aged about 51 years
W/o Shri Arun Kumar Aggarwal
R/o 204, Miracle Heights,
Nongrim Hills, Shillong,
(working as Director, NIFT,
Shilong, Group A).

... Applicant.

(By Advocate: Shri S. K. Gupta)

Vs.

Union of India through

1. Secretary
Ministry of Textiles,
Udyog Bhawan,
New Delhi.

2. National Institute of Fashion Technology
Through its Director General
Hauz Khas, Opp. Gulmohar Park,
New Delhi 110 016.

... Respondents.

(By Advocate : Shri K. P. Gautam)

: O R D E R (ORAL) :

Justice L. Narasimha Reddy, Chairman:

The applicant is working as Director, National Institute of Fashion Technology (NIFT), the 2nd respondent herein. Disciplinary proceedings were initiated against her under Rule 16 of CCS (CCA) Rules, 1965, by issuing a

charge memo dated 14.10.2017. Taking the explanation of the applicant into account, the disciplinary authority passed an order dated 30.07.2018 imposing minor penalty of withholding of one increment of pay for a period of three years without cumulative effect. The applicant preferred an appeal to the concerned authority. Her grievance is that the appeal is not being taken up for hearing.

2. Shri S. K. Gupta, Learned counsel for the applicant obtained instructions. He submits that the establishment committee has to be constituted by the Board of Governors, and as of now, the 1st respondent has not constituted the Board after expiry of the terms of the previous Board on 31.03.2019.

3. We heard Shri S. K. Gupta, learned counsel for the applicant and Shri K. P. Gautam, learned counsel for the respondents.

4. The only grievance of the applicant is about the disposal of the appeal preferred by him. The fact, however, is that the appellate authority is not in place now. It has to be constituted by the Board of Governors which needs to be appointed by the 1st respondent.

5. We, therefore, dispose of the OA directing that the appeal preferred by the applicant shall be taken up for

hearing by the establishment committee within one month after its being constituted. There shall be no order as to costs.

(Mohd. Jamshed)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

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