

**Central Administrative Tribunal
Principal Bench**

OA No.3010/2019

New Delhi, this the 11th day of October, 2019

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

Mr. Palash Goswami
S/o Sh. Lt. Nitai Chand Goswami
Aged 57 years
Director Finance, Hindustan Paper
Corporation Limited
R/o H.No.235, Sector 28
Faridabad, Haryana. ...Applicant

(By Advocate: Shri Ganesh Chand Sharma)

Vs.

1. Department of Heavy Industries
Through its Secretary
Udyog Bhawan
Government of India

2. Department of Mines
Through its Secretary
Shashtri Bhawan, Dr. Rajender Prasad Road
New Delhi.

3. Hindustan Copper Limited
Through CMD/Authorized representative
1, Ashutosh Chowdhury Avenue
Kolkata-700019. ...Respondents

(By Advocate: Shri Y.P. Singh)

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

The applicant states that he is a regular employee of Hindustan Copper Limited, and that he went on deputation to the Hindustan Paper Corporation Ltd. (HPC) a unit of the 1st respondent from 05.11.2014 to 04.11.2019, as Director Finance. Disciplinary proceedings were initiated against him by the HPC. This OA is filed with a prayer to direct the first respondent to relieve the applicant so that he can join his parent organization. Several other ancillary reliefs are also claimed.

2. Heard Shri Ganesh Chand Sharma, learned counsel for the applicant and Shri Y.P. Singh for the respondents, at some length.
3. The record discloses that the applicant filed Writ Petition No.13926/2018 before the Hon'ble High Court of Delhi challenging the disciplinary proceedings. An interim relief was also passed on 21.12.2018 staying further proceedings in inquiry and directing payment of subsistence allowance. When that Writ Petition is

pending in the High Court, it is just impermissible for the applicant to file an OA before this Tribunal. He has pursued the remedies in the pending Writ Petition. We accordingly, dismiss the OA. There shall be no order as to costs.

(Mohd. Jamshed)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

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