

**CENTRAL ADMINISTRATIVE TRIBUNAL  
GUWAHATI BENCH**

Original Application No. 040/00200/2019

Date of Decision: This the 21<sup>st</sup> day of June 2019

**THE HON'BLE MR. NEKKHOMANG NEIHSIAL, ADMINISTRATIVE MEMBER**

Shri Vijay Shankar  
 Son of Dr. Rajendra Prasad  
 Presently working as PGT (Computer Science)  
 Kendriya Vidyalaya, ONGC, Sivasagar  
 Dist – Sivasagar, Assam, Pin – 785640.

**...Applicant**

By Advocate: Mr. C.S. Hazarika

-Vs-

1. The Kendriya Vidyalaya Sangathan  
 Represented by its Chairman  
 18, Institutional Area, Shaheed Jeet Singh Marg  
 New Delhi – 110016.
2. The Deputy Commissioner, Guwahati Region  
 Kendriya Vidyalaya Sangathan, Regional Office  
 Jawahar Nagar, NIPCCD Road  
 Khanapara, Guwahati – 781022.
3. The Principal, Kendriya Vidyalaya  
 ONGC, Sivasagar, Dist – Sivasagar  
 Assam, Pin – 785640.
4. Shri Navratan Mittal  
 Principal, Kendriya Vidyalaya  
 ONGC, Sivasagar, Dist – Sivasagar  
 Assam, Pin – 785640.

**...Respondents**

By Advocate: Mr. M.K. Majumdar, KVS SC

**ORDER (ORAL)****NEKKHOMANG NEIHSIAL, MEMBER (A):**

Heard both counsel.

2. Mr. C.S. Hazarika, learned counsel appearing on behalf of the applicant informs that the applicant was charge-sheeted vide Memorandum No F-12(A)/KV/SVS/2018-19/5055 dated 01.10.2018 with five Article of Charges. Accordingly, vide order No. 35/KV/SVS/2018-19/5104 dated 12.10.2018, a minor penalty under Rule 16 of CCS (CCA) Rules, 1965 has been imposed on the applicant by 'withholding of future increments for three years (without cumulative effect). Against the said penalty order, the applicant had submitted an appeal on 26.11.2018 before the respondent No. 2. But till date, said appeal has not been disposed of.

3. I have perused all the papers. It is seen that the Appellate Authority i.e. respondent No. 2 has not disposed of the appeal of the applicant dated 26.11.2018. Accordingly, it will be fit to direct the Appellate Authority i.e. respondent No. 2 to dispose of the said pending appeal of the applicant.

4. In view of the above, it is hereby directed that Appellate Authority i.e. respondent No. 2 shall dispose of the pending appeal dated 26.11.2018 within a period of three months from the date of receipt of a copy of this order.
5. In the meantime, penalty already imposed on the applicant by the respondent authority i.e. respondent No. 3 vide order No. 35/KV/SVS/2018-19/5104 dated 12.10.2018, shall not be implemented.
6. With the above directions, the O.A. is disposed of. No order as to the costs.

**(NEKKHOMANG NEIHSIAL)  
MEMBER (A)**