

**CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH**

No. O.A. 350/382/2018  
M.A/350/547/2018

Date of order: 12.06.2019

**Present:** Hon'ble Ms. Bidisha Banerjee, Judicial Member  
Hon'ble Mr. N. Neihsial, Administrative Member

Sri Jayanta Das, son of Late Kartick Chandra Das, residing at 31, Purbayan Chingrihata, Canal South Road, Post Office - Nowbhanga, Police Station - Pragati Maidan, Kolkata 700105, having place of appointment at Kolkata, West Bengal and retired as Manager, NSIC Ltd.

.. Applicant

- Versus -

1. The National Small Industries Corporation Ltd. (A Government of India Enterprise) having Corporate Head Office at NSIC Bhawan, Okhla Industrial Estate, New Delhi - 110020, service through the Chairman-cum- Managing Director.
2. The Zonal General Manager (East -I) Disciplinary Authority, The National Small Industries Corporation Ltd. (A Government of India Enterprise), Zonal Office (East I), 20B, Abdul Hamid Street (7<sup>th</sup> Floor), Kolkata 700069.
3. Inquiry Officer, Ex. G.M (I/C) HRD and Vigilance Management, UP Gramin Bank (a PNB Subsidiary) / Inquiry Officer, having Office at B-22A, (Ground Floor), Kalkaji, New Delhi - 110012.
4. Presenting Officer, Dy. General Manager (A/C)/ Presenting Officer, The National Small Industries Corporation Ltd. Head Office, "NSIC Bhawan", Okhla Industrial Estate, New Delhi - 110020.
5. The Zonal General Manager (EAST -II) Disciplinary Authority, The National Small Industries Corporation Ltd. (A Government of India Enterprise), Zonal Office (East -II) 1<sup>st</sup> Floor, DIC Campus, Rasulgarh Industrial Estate, Bhubaneshwar, Odisha, Pin 751010.
6. Union of India, service through the Secretary, Ministry of Micro Small and Medium Enterprise, Udyog Bhawan, Rafi Marg, New Delhi, Pin 110011.

.. Respondents

For the Applicant : Mr. R. Dey Sarkar, counsel  
For the Respondents : Mr. K. De, counsel

**ORDER (ORAL)**

**Per: Bidisha Banerjee, Member (J):**

Heard Id. Counsels for both the parties.

2. It is seen that no statutory appeal has been preferred against the penalty imposed by the Disciplinary authority/appointing authority i.e CMD. The applicant is given liberty to approach the Appellate Authority within 4 weeks from the date of receipt of a copy of this order. In the event such appeal is preferred, the same shall be disposed of in accordance with law by the appropriate Appellate Authority in regard to the present applicant, within a further period of 4 weeks from the date of its receipt.

3. It is made clear that we have not entered into the merits of the matter and, therefore, all points are kept open for the applicant to agitate before the Appellate Authority and the Appellate authority shall consider and dispose of while disposing of the appeal. With this, the O.A is disposed of. No costs.

4. Delay, if any, in preferring the appeal is condoned.

  
(N. Neihsial)   
Administrative Member



  
(Bidisha Banerjee)  
Judicial Member