

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION No.316/2019

Date of Decision: 8th August, 2019

CORAM: R. VIJAYKUMAR, MEMBER (A)
RAVINDER KAUR, MEMBER (J)

Shri Gobind (alias Govind) Sharma,
 Age:48 years, son of Shri Sheebi Sharma,
 Resident of:3, Dilwara, Anushakti Nagar,
 Mumbai – 400 094.

Place of Employment:Heavy Water Board,
 Department of Atomic Energy, V.S. Bhavan,
 5th Floor, Anushakti Nagar,

Mumbai – 400 094. ... *Applicant*
(By Advocate Shri Saquib Bigami, proxy counsel for Shri Irani Khorzan)

Versus

1. Union of India
 Through the Secretary,
 Department of Atomic Energy,
 I & M Section, Anushakti Bhavan,
 C.S.M. Marg, Mumbai – 400 001.
2. Secretary to Government of India/
 Appellate Authority,
 Department of Atomic Energy,
 I&M Section, Anushakti Bhavan,
 C.S.M. Marg, Mumbai – 400 001.
3. Chief Executive & Disciplinary Authority,
 Heavy Water Board, 4th Floor,
 V.S. Bhavan, Anushaktinagar,
 Mumbai – 400 094. ... *Respondents*

ORDER (ORAL)

Per : Shri R. Vijaykumar, Member (A)

Heard learned proxy counsel for the
 applicant. This OA has been filed against the

orders of the Appellate Authority and the Disciplinary Authority in disciplinary proceedings which have been duly impugned as Annexure A-1 and A-2. Learned counsel for the applicant submits that he does not wish to have notice issued to the respondents for reply on his OA because he apprehends that there may be consequential transfer of his service from one location to another location about which he has no details whatsoever. The issue of transfer is an incidence of service which has nothing to do with the contents of the challenge raised in the OA and if the applicant doesn't wish to have notice issued then he should not have resorted to the process of filing this OA challenging the disciplinary proceedings

2. Learned proxy counsel requests two weeks time to reconsider his position and then to file a proper OA, if he wishes to take further steps in the matter.

3. In the circumstances, the Original Application is dismissed as withdrawn with liberty to file a fresh OA within a period of two weeks, keeping all legal pleas open and without any order as to costs.

(Ravinder Kaur)
Member (J)
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(R. Vijaykumar)
Member (A)