

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
LUCKNOW**

Original Application No.332/00437/2019

This the 19th day of September, 2019

Hon'ble Ms. Jasmine Ahmed, Member - J
Hon'ble Mr. Devendra Chaudhry, Member - A

Suresh Kumar Nigam, aged about 58 years, son Ikbal Bahadur Nigam, Resident of House No. 637/97, Indira Nagar, Lucknow.

..... Applicant

By Advocate: Smt. Pratima Srivastava.

VERSUS

1. Union of India, through Secretary, Ministry of Defence, Sena Bhawan, New Delhi.
2. Lieutenant General D.G.M.S. (Army) L-Block, New Delhi-11.
3. Head Quarter Central Command (Med.) Pin 908544 Care of 56 A.P.O.
4. Vice Chief of the Army Staff, South Block, New Delhi.
5. Station Health Organization, Lucknow, Usman Road, Cant. Lucknow.

..... Respondents

By Advocate: Sri Shobhit Saxena

ORDER (ORAL)

Delivered by:

Hon'ble Ms. Jasmine Ahmed, Member - J

It is the contention of the learned counsel for the applicant that after decision of the disciplinary authority, the applicant was dismissed from service vide order dated 03.07.2015. The relevant portion of the order dated 03.07.2015 is quoted as under:

"..5....Now, therefore, in exercise of the powers conferred under Rule 14 of CCS (CCA) Rules, 1965, the undersigned hereby imposes the penalty of "Dismissal from Service with immediate effect which

shall ordinarily be a disqualification for future employment under the Government” on Suresh Kumar Nigam, Civ Mazdoor of SHO, Lucknow with immediate effect...”

2. Against the dismissal order dated 03.07.2015, the applicant preferred an appeal, which was dismissed on 20.07.2017. It is contended by the learned counsel for the applicant that against the appellate order, he had filed a revision petition. At page no. 23, we find a letter dated 08.02.2019 by which the applicant was directed to file a revision petition with proper address of the appropriate authority. In pursuance of that, the applicant filed a revision petition on 01.03.2019. It is also seen that at page no. 29, which is a letter dated 28.04.2019, wherein the applicant has sent reminder for expediting the revision petition filed by him. Learned counsel for the applicant states that the revision petition was filed on 01.03.2019 as per direction of the respondents to the appropriate authority i.e. Vice Chief of the Army Staff, South Block, New Delhi and almost 6 months have been elapsed but till date no decision has been taken by the respondents.

3. At this stage, we feel that the matter can be disposed of at the admission stage itself without keeping it pending by giving direction to the respondent no. 4 to decide the revision petition dated 01.03.2019 pending with him within a period of two months from the date of receipt of certified copy of this order under intimation of the applicant.

4. With the above direction, O.A stands disposed of at the admission stage itself. It is made clear that we have not commented anything on the merit of the case. There shall be no order as to costs.

(Devendra Chaudhry)
Member (A)

(Jasmine Ahmed)
Member (J)