

(2022) 08 CAT CK 0013

In the Central Administrative Tribunal

Case No : Original Application No. 712 Of 2022

Durga Prasad Sharma

APPELLANT

Vs

Union Of India & Others

RESPONDENT

Date of Decision : 12-08-2022

Acts Referred:

Citation : (2022) 08 CAT CK 0013

Hon'ble Judges : Pratima K Gupta, Member (J)

Bench : Single Bench

Advocate : M.K. Upadhyay, Sachin Upadhyay, Ajay Kumar Rai

Final Decision : Disposed Of

Judgement

Pratima K Gupta, Member (J)

1. Shri M.K. Upadhyay, learned counsel for the applicant and Shri Ajay Kumar Rai, learned counsel for respondents are present.

3. In the present original application, the applicant is aggrieved by the impugned orders dated 06.11.2021 whereby one increment has been stopped for one year without cumulative effect. Appellate order dated 08.03.2022 whereby the order dated 06.11.2021 has been modified and the punishment given to the applicant has been reduced for six months without cumulative effect.

4. Learned counsel for the applicant submits that he has preferred a revision petition dated 04.04.2022 (page 39-40, Annexure A-8) against the appellate order dated 08.03.2022 which is pending consideration before the respondent No. 2.

5. Learned counsel for the respondents submits that the present original application is premature as the period of six months has since not expired from the date of filing of the said revision petition. Accordingly, this Tribunal may not interfere at this stage.

6. At this stage, the learned counsel for the applicant submits that the applicant would be satisfied, if a direction is given to the competent authority to decide the revision petition dated 04.04.2022 by a reasoned and speaking order within the stipulated time.

7. Accordingly, the present OA is disposed off at the admission stage with a direction to the respondent no. 2 /competent authority amongst the respondents to decide the revision petition of the applicant dated 04.04.2022 within a period of three months from the date of the order by way of a reasoned and speaking order. The order so passed shall be communicated to the applicant forthwith.

8. With the above direction, the OA is disposed off.

9. No order as to costs.