

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 7.12.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN

W.P.No.18543 of 2017

Vinod Kumar

Petitioner

Versus

- 1 Union of India
rep. by its Secretary
Ministry of Consumer Affairs
49 Krishi Bhavan New Delhi 110 001
- 2 The Director General
National Test House (HQ)
Sector V CP Block
Kolkata 700 091
- 3 The Director / Scientist in charge
National Test House (SR) Taramani
Chennai 600 113
- 4 Dr.Bijendra Kumar
Acting as DA
National Test House (HQ)
Sector V CP Block Kolkata 700 091
- 5 S.Tirumalaikolundu
Acting as IO
National Test House
Taramani Chennai 600 113
- 6 The Central Administrative Tribunal
Additional Bench at Chennai
rep. by its Registrar,
Chennai 600 104

Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking issuance of a writ of certiorarified mandamus calling for the records on the file of the 6th respondent relating to the impugned order of the respondent dated 25.10.2016 in OA/310/1324/2014 and quash the same and consequently allow the original application in O.A.No.OA/310/1324/ 2014.

For petitioner : Mr.N.U.Prasanna for
M/s.Sai Bharath and Ilan

For RR1 to 5 : Mr.S.Arokiam

ORDER

(Order of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ petition has been filed by an employee, who was working as Group 'B' Officer under the respondents, challenging the order passed by the Central Administrative Tribunal which confirmed the punishment of demotion for two years imposed upon the petitioner on his departmental appeal as against the punishment of compulsory retirement originally imposed by the disciplinary authority, in connection with the charge of fabrication and manipulation of bills to claim some loan for the purpose of education of his son.

3. It appears that though it is found that some manipulation and fabrication had occurred, the bills had not been entertained. On considering the entire materials available on record and after hearing the learned counsel appearing for the parties on the issue, and in view of the nature of misconduct of the petitioner, we feel that a punishment of stoppage of increment for two years with cumulative effect would serve the ends of justice and accordingly, he imposed such a punishment, in modification of the order passed by the Central Administrative Tribunal and the order passed by the appellate authority.

4. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

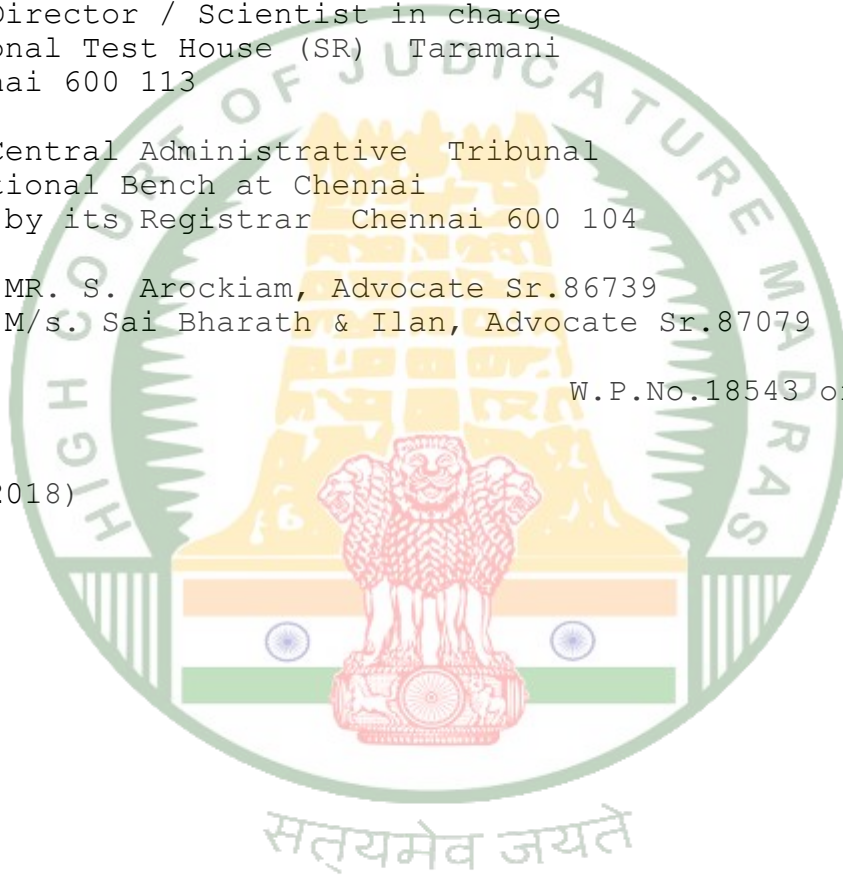
ssk.

To:

- 1 The Secretary, Union of India
Ministry of Consumer Affairs
49 Krishi Bhavan New Delhi 110 001
 - 2 The Director General
National Test House (HQ) Sector V CP Block
Kolkata 700 091
 - 3 The Director / Scientist in charge
National Test House (SR) Taramani
Chennai 600 113
 - 4 The Central Administrative Tribunal
Additional Bench at Chennai
rep. by its Registrar Chennai 600 104
- + 1 cc to MR. S. Arockiam, Advocate Sr.86739
+ 1 cc to M/s. Sai Bharath & Ilan, Advocate Sr.87079

W.P.No.18543 of 2017

BR(CO)
EU(30/01/2018)



WEB COPY