

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****Proceedings through video conferencing****WPS No. 4610 of 2021**

1. Vimal Kumar Swarnakar S/o Late Shri Balkrishna Aged About 55 Years Working As Senior Technician (Electrical) In Man Power Support Group (Msg) Department P.No. 149486, Bhilai Steel Plant, R/o 2-C, Street No. 25, Sector 4, Bhilai District Durg Chhattisgarh 491001., District : Durg, Chhattisgarh

---- Petitioner**Versus**

1. Steel Authority Of India Limited Through Chief Executive Officer, Bhilai, Steel, Plant, Bhilai, District Durg Chhattisgarh.
2. General Manager (Personnel) Bhilai, Steel Plant, Bhilai, District Durg Chhattisgarh.
3. Deputy General Manager (Personnel Mills And M And S) Bhilai Steel Plant, Bhilai, District Durg Chhattisgarh 491001.
4. Deputy General Manager Personnel Prescribed Authority Msg (Enquiry Officer) Bhilai Steel Plant, Bhilai, District Durg Chhattisgarh. 491001.

---- Respondents

For Petitioner	:	Shri Manish Upadhyay, Advocate.
For Respondents	:	Dr. Saurabh Kumar Pande, Advocate.

Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice**Hon'ble Smt. Justice Rajani Dubey****Order on Board****By****Hon'ble Shri Prashant Kumar Mishra Ag. Chief Justice**

26/08/2021

- 1.** Heard.
- 2.** This writ petition has been preferred against an interim order passed by the Central Administrative Tribunal, Jabalpur Bench rejecting petitioner's prayer for grant of interim relief for staying the penalty imposed upon him pursuant to a departmental enquiry initiated against him.
- 3.** Ordinarily, penalty imposed on a government servant is not stayed by an interim order for the simple reason that if the original application is eventually allowed, the petitioner would be entitled to all the benefits which would have accrued to him in the event, the penalty would not have been imposed.
- 4.** The petitioner has also prayed for a direction to the Central Administrative Tribunal to expedite the hearing of the original application No.220/2020.
- 5.** Considering the entire facts situation of the case, while we refuse to interfere with the order passed by the learned Central Administrative Tribunal, it is observed that if the petitioner moves before the Tribunal seeking earlier disposal of his original application, the same shall be considered sympathetically.
- 6.** Accordingly, the present WPS is disposed of.

SD/-

**(Prashant Kumar Mishra)
Acting Chief Justice**

SD/-

**(Rajani Dubey)
Judge**