

Dr. Rahas Kumar Mohanty Vs Secretary (I/c) & Others

Court: Central Administrative Tribunal Principal Bench, New Delhi

Date of Decision: Feb. 2, 2021

Hon'ble Judges: L. Narasimha Reddy, J; Aradhana Johri, Member (A)

Bench: Division Bench

Advocate: Sagar Saxena, V.S.R. Krishna, G.S. Virk

Final Decision: Disposed Of

Judgement

L. Narasimha Reddy, J

1. The applicant was appointed as Deputy Secretary (P&D) in the Lalit Kala Academy through order dated 26.11.2019 and was placed on probation.

Through an order dated 12.06.2020, the Academy terminated the probation by offering the amount of pay in lieu of one month's notice.

2. This OA is filed challenging the order dated 12.06.2020. The applicant has raised several grounds in his challenge to the impugned order dated

12.06.2020.

3. We heard Mr. Sagar Saxena, learned counsel for the applicant, Mr. G.S. Virk and Mr. V.S.R. Krishna, learned counsel for the respondents.

4. It is no doubt true that the applicant raised legal as well as factual grounds in his challenge to the impugned order. The fact, however, remains that

he preferred an appeal to the Ministry of Culture, Government of India on 07.07.2020, followed by another representation dated 13.08.2020. The

applicant has also submitted a reminder on 05.10.2020. The appeal is in terms of Clauses 53, 56 & 58 of the byelaws of Lalit Kala Academy. Once

the applicant has availed the remedy provided under the byelaws, he has to await the outcome thereof. The concerned authority can be required to

pass orders in the pending appeal within a stipulated time.

5. We, therefore, dispose of the O.A. directing the respondent No.2 to pass orders on the appeal preferred by the applicant against the order dated

12.06.2020 within a period of four weeks from the date of receipt of copy of this order. There shall be no order as to costs.