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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 1184/2002

New Delhi this the 6th day of May, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Shri P.S. Vimal, IRTS (Retd.),
S/O late Shri Angan Lal,
R/O B-3/12, Rail Vihar
Indirapuram, Ghaziabad.

..Applicant

(Present in person)

VERSUS

Union of India, through

1. The Secretary, Railway Board,
Ministry of Railways, Rail
Bhawan, New Delhi.
2. Member Traffic,
Railway Board, Ministry of
Railways, Rail Bhawan,
New Delhi.
3. General Manager,
Eastern Railway, Fairlie Place,
Calcutta.
4. General Manager,
South Eastern Railway,
Garden Reach, Calcutta.

.. Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J) . .

The applicant has sought a number of reliefs in this OA, including promotion to the Higher Administrative Grade (HAG) with all consequential benefits. He has also submitted that full pension has not been paid by the respondents after his superannuation from service as Chief Traffic Manager (S&C)/GRC w.e.f. 31.7.2001. Admittedly, the applicant had been punished by order dated 15.6.2001 imposing a penalty of reduction by one

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stage in the time-scale for a period of one month without cumulative effect, on the charges levelled against him. by Memorandum dated 15.1.1998. He has drawn our attention to the appeal dated 31.8.2001 to the President of India on the final orders of the Disciplinary authority communicated to him which had been sent to the Railway Board, Respondent No.1, for passing a final order. The applicant submits that he has not received any communication from the respondents on this appeal submitted to the Railway Board. He has also submitted that his appeal is still undecided by the competent authority regarding his full pension as well as the promotion to HAG which was given to his juniors at the relevant time but denied to him for no fault of his. In the interim relief prayed for by the applicant, he has sought a direction to Respondent No.2 to immediately consider his case for notional promotion to HAG through a review DPC and restore the full pension etc. to him, based on the pay on the date of retirement which has not been paid in view of the aforesaid appeal submitted by him which is still pending with the authorities.

2. Noting the above facts and the submissions made by the applicant, and in particular the fact that the appeal submitted by him against the punishment order dated 15.6.2001 is still pending, the OA is disposed of with the following directions:-

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- (i) Respondent No.1 shall consider the appeal submitted by the applicant against the aforesaid punishment order dated 15.6.2001, as

expeditiously as possible and in any case within two months from the date of receipt of a copy of this order and communicate the same to the applicant;

(ii) Following the aforesaid appellate authority's order in the disciplinary inquiry which had been held against the applicant, they shall also further consider the other claims of the applicant in this OA and pass a detail, speaking and reasoned order, within two months thereafter on the consequential benefits, in accordance with law, Rules and instructions. If any consequential benefits are due to the applicant, they shall also be considered and acted upon by the respondents within this period. This shall also be communicated to the applicant within the prescribed time.

No order as to costs.

(Govindan S.Tampi)
Member (A)

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Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)