

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00281/2019

DATED THIS THE 27TH DAY OF NOVEMBER, 2019

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

P.S. Anand,
S/o Puttashetty,
Aged about 29 years,
R/a No. 539, Opp. Railway Station,
TVS Road, Kadakola,
Mysore 571 311

.....Applicant

(By Advocate Shri B.S. Venkatesh Kumar)

Vs.

1. Union of India represented by
General Manager,
South Western Railway,
Headquarters Office,
Gadag Road, Hubli 580 020

2. The Divisional Commercial Manager,
(Disciplinary Authority),
Divisional Office, Commercial Branch,
Mysore Division,
South Western Railway,
Mysore 570 021

3. The Senior Divisional Commercial Manager,
(Appellate Authority),
Divisional Office, Commercial Branch,
Mysore Division,
South Western Railway,
Mysore 570 021

4. The Additional Divisional Railway Manager,
(Revising Authority),

Mysore Division,
South Western Railway,
Mysore 570 021

....Respondents

(By Shri N. Amaresh, Counsel for Respondents No. 1 to 3)

O R D E R (ORAL)
(HON'BLE DR. K.B. SURESH, MEMBER (J))

We have heard both the counsels in great detail. Even though the applicant had raised a technical point that under 14 (ii) he could not have been dismissed without an enquiry, after hearing the details of the infraction, we feel that we will be putting justice delivery system into great prejudice if we allow the OA. Since we do not want to compromise the criminal case now pending against him, we do not want to enter our findings anymore into the issue but we hold that the OA lacks merit.

2. The OA is dismissed. No order as to costs.

(C.V. SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00281/2019

Annexure A1 Copy of the memorandum dated 01.09.2017 dismissing the applicant from service

Annexure A2 Copy of the appeal dated 16.10.2017

Annexure A3 Copy of the appellate authority's order dated 01.03.2018

Annexure A4 Copy of the revision petition dated 27.03.2018

Annexure A5 Copy of the revising authority's order dated 03.08.2018

Annexures referred in reply statement

Annexure R1 Copy of the letter of PCSC

Annexure R2 Copy of the report of MD/HC/Hubli

Annexures referred in rejoinder

Annexure A6 Copy of the representation dated 15.04.2014

Annexure A7 Copy of the memorandum of deposit of title deeds dated 10.01.2017

Annexure A8 Copy of the sale deed dated 27.12.2017

Annexure A9 Copy of the certificate of excellence dated 21.05.2015

Annexure A10 Copy of the memorandum dated 14.08.2014

* * * * *