

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 1546/98

17

New Delhi this the 29th day of September 2000

Hon'ble Shri S.R. Adige, Vice Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Tara Chand Agarwal
Ex. Station Superintendent
Tioyodar,
Ajmer Division, Western Railway,
R/o S-2-5 School Block Shakarpur,
Delhi-110 092.

Applicant

(By Advocate: Shri B.S. Mainee)

Union of India : Through

1. The Secretary,
Ministry of Railways,
Rail Bhawan,
New Delhi.
2. The Secretary,
Union Public Service Commission,
Dholpur House,
New Delhi.
3. The General Manager,
Western Railway,
Church Gate, Mumbai.
4. The Divisional Railway Manager,
Western Railway, Ajmer.

Respondents

(By Advocate: Shri D.S. Mahendru)

O R D E R (Oral)

Shri S.R. Adige, Vice Chairman (A)


Applicant seeks a direction to respondents to finalise the disciplinary proceedings stated to be pending against him. It is also prayed to direct respondents to dispose of applicant's ^{other} pending claims within a specified period of time and also to quash respondents' order by which applicant's pay has been reduced from Rs.2750/- to Rs.2600/- after his retirement.

2. We have heard both Shri B.S. Mainee, Counsel the applicant and Shri D.S. Mahendru, Counsel for Respondents.

3. Shri Mahendru has invited our attention to respondent's letter dated 22.9.2000, addressed to him, (copy taken on record) wherein it has been stated that the enquiry report has been sent to the Railway Board for obtaining President's order for imposing the proposed penalty. Shri Mahendru assures us that a final decision in this matter will be taken within two months from today.

4. Shri Mainee has, however, contended that the disciplinary proceedings deserve to be interdicted because the enquiry was to have been completed within six months as per rules, but despite passage of over 5 years since filing of the charge sheet, it has still not been completed.

5. As the enquiry has been completed and only final decision on the same is to be taken, we are not prepared to interdict the departmental proceedings at this stage. We note the assurance given by Shri Mahendru and call upon the respondents to abide by the same. If after passing of the Presidential order, any grievance still survives, it will be open to applicant after exhausting such remedies as are available to him to agitate his grievance in accordance with law, if so advised. No costs.


(Dr. A. Vedavalli)
Member (J)


(S.R. Adige)
Vice Chairman (A)