

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

Original Application No. 397 of 1997  
M.A. 346/2000

New Delhi, this the 16th day of February, 2000

HON'BLE MR.S.R. ADIGE, VICE CHAIRMAN(A)  
HON'BLE MR.KULDIP SINGH, MEMBER(JUDGE)

(15)

Jagbendar Yadav  
C/o S.K. Laheri  
D-42, Pocket B,  
Mayur Vihar Phase.2,  
Delhi-110 092. ....Applicant

By Advocate Shri Anis Suhrawardy.

Versus

1. Union of India  
Through its Secretary,  
Ministry of Railways,  
Rail Bhawan,  
New Delhi.
2. The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
3. The Senior Divisional Operating Manager,  
Northern Railway,  
Lucknow.
4. The Senior Divisional Operating Manager,  
Northern Railway,  
Bikaner. ....Respondents

By Advocate Shri R.L. Dhawan.

O R D E R (ORAL)

By Hon'ble Mr.S.R. Adige, Vice Chairman(A)

1. Applicant impugns respondents' order dated 13.1.97 (Annexure A-1) removing him from service.
2. The OA already stands admitted but meanwhile, applicant's counsel Shri Anis Suhrawardy, presses M.A-346/2000 seeking a direction to the respondents to dispose of ~~his~~ <sup>applicant's</sup> statutory appeal, which is stated to have been filed on 13.7.99 and which, according to Shri Suhrawardy, has been entertained by the appellate

authority.

(16)

3. Shri Dhawan, learned counsel for the respondents has raised the point that the appeal has not been filed within the prescribed period of 45 days as per Rules.

4. This OA is disposed of at the admission stage itself with a direction to the respondents to examine whether there are sufficient grounds to condone the delay, if any, in filing the appeal and if the Appellate Authority is satisfied that there are adequate grounds to condone the same, he should condone the delay and thereafter, dispose of the appeal in accordance with rules and instructions on the subject by a reasoned and speaking order, as expeditiously as possible and preferably within four months from the date of receipt of a copy of this order. No costs.

5. If any grievance still survives, it will be open to the applicant to agitate the same through appropriate original proceedings in accordance with law, if so advised.

*(Anup Singh)*  
( Kuldip Singh )  
Member(J)

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*(Anup Singh)*  
( S.R. Adige )  
Vice Chairman(A)