

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA No.498/94

NEW DELHI THIS THE 6TH DAY OF JANUARY, 1995.

MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
MR.B.N.DHOUNDIYAL, MEMBER(A)

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Shri A.P.Sharma
S/o Shri Shyam Sunder Lal
R/o C-3/261 Gokulpuri
Yamuna Vihar
Delhi Shahdara

APPLICANT

NONE FOR THE APPLICANT.

Vs.

1. Union of India, through
General Manager,
Northern Railway
Baroda House
New Delhi.

2. Divisional Rail Manager,
Northern Railway
Moradabad.

RESPONDENTS

BY ADVOCATE SHRI K.K.PATEL.

ORDER(ORAL)

JUSTICE S.K.DHAON:

A minor penalty was imposed upon the applicant
on the charge that while performing the duties of/Assistant
Station Master, he left the station without handing over
charge to the next person who was to take charge.
The legality of the penalty imposed upon the applicant
is being impugned in the present OA.

2. On 16.12.1994, we passed the following order:

" In spite of our asking the learned counsel
for the applicant to find out the relevant
rule, he has failed to do so. He states
that there is no such rule. The applicant
shall file his personal affidavit stating
therein categorically that in Railways there
is no rule whatsoever an Assistant Station
Master while leaving the station after perform-
ing his duties to hand over or take charge
in writing.

List on 5.1.1995 as P.H.

It is made clear that if a false affidavit
is filed, we shall take servioue view in
the matter."

3. On 5.1.1995, the matter came up before us.
We were informed that Shri B.K.Batra, learned counsel
for the applicant was not well. We, therefore, directed
the matter to be listed today. The list has been revised.
The case has been called. No one appears in support of
this application. In these circumstances, we take it

that at the relevant time, there was a rule enjoining an Assistant Station Master to hand over the charge to other Assistant Station Master or some other officer while leaving the duty. This application has, therefore, no substance. It is dismissed but without any order as to costs.

B.N.DHUNDIYAL
(B.N.DHUNDIYAL)
MEMBER(A)

S.K.DHAON
(S.K.DHAON)
VICE-CHAIRMAN(J)

SNS