

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)

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 an 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:

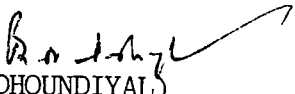
" In spite of our asking the learned counsel for the applicant to find out the relevant rule, he has failed to do so. He states that there is no such rule. The applicant shall file his personal affidavit stating therein categorically that in Railways there is no rule whatsoever an Assistant Station Master while leaving the station after performing 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 servioe 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. DHOUNDIYAL)  
MEMBER(A)

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

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