

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH**
JABALPUR**Original Application No.203/368/2020**

Jabalpur, this Friday, the 24th day of July, 2020

HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER

A.K. Masih, S/o Late Shri I.P. Masih, aged about 59 years, Dy. Chief Engineer (Construction), D& D/S.E.C Railway, Bilaspur – 495004 (CG).

-Applicant

(By Advocate – Shri B.P. Rao)

V e r s u s

1. Union of India through the General Manager, S.E.C. Railway, Bilaspur Zone, Headquarters' Office, Bilaspur – 495004 (CG).
2. The General Manager, S.E.C. Railway, Bilaspur Zone, Headquarters' Office, Bilaspur – 495004 (CG), {Disciplinary Authority}.
3. Shri R.P. Mishra, Retd. CAO/IROAF, New Delhi, R/o: M-101, Shatabdi Rail Vihar, Sector – 62, NOIDA – 201301 (UP). {Inquiry Officer}.
4. The Under Secretary, Ministry of Railways, Railway Board, New Delhi – 110001.
5. Shri Bhavesh Pandey (IRSE), Chief Project Manager, RVNL, Raipur – 492001.

-Respondents

(By Advocate – Shri A.S. Raizada for respondents Nos.1, 2 & 4)



ORDER**By Ramesh Singh Thakur, JM.**

This Original Application has been filed by the applicant against the inaction of the respondents in not concluding the disciplinary proceedings within the stipulated time as per the instructions of the respondent department.

2. The case of the applicant is that the respondent department have served a chargesheet to the applicant on 26.06.2019 (Annexure A-1). The applicant has submitted the written statement regarding his defence. The Disciplinary Authority has appointed Inquiry Officer and Presenting Officer on 23.10.2019 (Annexure A-7). The submission of the applicant is that as per RBE Nos.123/97, 121/2008 and 140/2009 (Annexure A-15, A-16 and A-17 respectively), the respondents are bound to conclude the disciplinary proceedings within the stipulated period.

3. We have perused the Annexure A-15, A-16 and A-17 and we are satisfied that the grievance of the applicant can be met if a time-bound direction is issued to the respondents for concluding the disciplinary proceedings. It is pertinent to mention that the applicant is due to superannuate on 31.12.2020. The charge memorandum was served to the applicant on 26.06.2019 and Inquiry Officer was appointed on 23.10.2019, whereas as per Annexure A-15 to A-17, the respondents are bound to conclude the disciplinary proceedings within a period



of 150 days. In such circumstances, we direct the respondents to conclude the disciplinary proceedings against the applicant, as per Annexure A-1 charge memorandum dated 26.06.2019, on or before 30.11.2020.

4. With these observations, this Original Application is disposed of at the admission stage itself. Needless to say that we have not expressed any opinion on the merits of the case. No costs.



(Naini Jayaseelan)
Administrative Member

am/-

(Ramesh Singh Thakur)
Judicial Member