

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00267/2020

Monday, this the 20th day of July, 2020

CORAM:

Hon'ble Mr. P. Madhavan, Judicial Member
Hon'ble Mr. K.V. Eapen, Administrative Member

Udayaprasad V., aged 56 years, S/o. T.K. Velayudan,
Presently working as Station Master, Vadakkancherry,
Southern Railway, Trivandrum Division, residing at
Veeturelickal Valayil, Cherthala PO, Alappuzha,
Ph: 8086571420.

..... **Applicant**

(By Advocate : M/s. Varkey & Martin)

V e r s u s

1. The General Manager, Southern Railway, Park Town PO, Chennai – 600 003.
2. Principal Chief Operation Manager, Southern Railway, Park Town PO, Chennai – 600 003.
3. The Additional Divisional Railway Manager, Southern Railway, Trivandrum Division, Trivandrum – 695 014.
4. The Senior Divisional Operation Manager, Southern Railway, Trivandrum – 695 014.

..... **Respondents**

(By Advocate : Mr. Sunil Jacob Jose)

This application having been heard on 20.07.2020 through video conferencing, the Tribunal on the same day delivered the following:

O R D E R (Oral)

Hon'ble Mr. P. Madhavan, Judicial Member –

Heard Advocate Mr. Martin G. Thottan, appearing for the applicant and Advocate Mr. Sunil Jacob Jose, representing the respondents, through video conferencing.

2. The applicant is presently working as a Station Master at Vadakkanchery Railway Station in the Trivandrum Division of Southern Railway. He challenges the orders passed by the disciplinary authority imposing a penalty of compulsory retirement and appellate authority imposing a modified penalty of reduction from the pay of Rs. 68,000/- in Level 7 to the pay of Rs. 58,000/- in Level 6 for a period of 2 years with cumulative effect. Applicant submits that his Annexure A9 revision petition has not yet been disposed of by the revisional authority. Aggrieved he has filed the present OA seeking the following reliefs:

“I) Call for the records leading to the issuance of Annexure A6 and A8 and quash the same.

II) Direct the respondents to restore the applicant to his original status with all attended benefits, treating the period from date of compulsory retirement to reinstatement as duty.

III) Grant such other relief, which this Hon'ble Tribunal may deem fit and proper in the circumstances of the case.”

3. When the matter came up for consideration, learned counsel appearing for the applicant submitted that the applicant has filed a revision petition Annexure A9 dated 19.2.2019 before the revisional authority (2nd respondent) and no orders have been passed on the same till date. Applicant will be satisfied if a direction is given to the revisional authority to consider and pass orders on his revision petition within a time frame.

4. In view of the limited submission made by the applicant and without going in to the merits of the case, we direct the revisional authority to consider and pass a reasoned and speaking order on

**Annexure A9 revision petition filed by the applicant within a period of
three months from the date of receipt of a copy of this order.**

5. The OA is disposed of as above at the admission stage itself. No costs.

**(K.V. EAPEN)
ADMINISTRATIVE MEMBER**

**(P. MADHAVAN)
JUDICIAL MEMBER**

“SA”

Original Application No. 180/00267/2020**APPLICANT'S ANNEXURES**

Annexure A1 – True copy of the charge memo No. V/T20/GL/SF-5/KUMM/9/2015, dated 22.6.2015.

Annexure A2 – True copy of the preliminary inquiry proceedings of the applicant held on 18.7.2016.

Annexure A3 – True copy of the defence statement dated 27.5.2017 submitted by the applicant.

Annexure A4 – True copy of the letter No. V/T.20/GL/SF.5/KUMM/9/2015 dated 5.7.2017 along with enquiry report.

Annexure A5 – True copy of the reply to the inquiry report dated 27.7.2017 submitted by the applicant.

Annexure A6 – True copy of the order No. V/T20/GL/SF5/KUMM/9-2015 dated 17.12.2018.

Annexure A7 – True copy of the appeal dated 21.12.2018 submitted by the applicant.

Annexure A8 – True copy of the order No. V/P.227/A/2019 /optg. Dated 21.1.2019.

Annexure A9 – True copy of the revision petition dated 19.2.2019 submitted by the applicant.

Annexure A10 – True copy of the railway board order No. 2000/Safety (A&R)/19/39 pt dated 24.9.2010.

RESPONDENTS' ANNEXURES

Nil

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