

CENTRAL ADMINISTRATIVE TRIBUNAL,
ERNAKULAM BENCH

Original Application No. 180/00311/2020

Friday, this the 24th day of July, 2020

CORAM:

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

M.J. Jayakumar, aged 54 years, S/o. of Mrithyunjayan,
 Station Master, Aluva Railway Station, Trivandrum Division,
 Southern Railway, Residing at Jaya Bhavan, MO Ward,
 Alappuzha – 688 001. **Applicant**

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

V e r s u s

1. Union of India, rep. by
 The General Manager, Southern Railway, Park Town PO,
 Chennai – 60003.
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 24.07.2020 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 the 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 Aluva 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. 64,000/- in Level-7 to the pay of Rs. 55,200/- in Level-6 for a period of 2 years with cumulative effect. Applicant submits that his Annexure A7 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 A4 and A6 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 A7 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. Counsel for the respondents has no objection in considering the revision petition.

5. In view of the limited submission made by the parties 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 A7 revision petition filed by the applicant within a period of three months from the date of receipt of a copy of this order.

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

(K.V. EAPEN)
ADMINISTRATIVE MEMBER

(P. MADHAVAN)
JUDICIAL MEMBER

“SA”

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APPLICANT'S ANNEXURES

- Annexure A1** – True copy of the charge memo No. V/T20/GL/SF-5/ALLP/12/2015, dated 21.8.2015 by the 4th respondent.
- Annexure A2** – True copy of the declaration/undertaking dated 5.10.2015.
- Annexure A3** – True copy of the representation dated 10.11.2017 submitted by the applicant.
- Annexure A4** – True copy of the penalty advice No. V/T.20/GL/SF-5/ALLP/12/2015, dated 14.12.2018.
- Annexure A5** – True copy of the appeal dated 20.12.2018 submitted by the applicant.
- Annexure A6** – True copy of the order No. V/P227/A/2019/04/Optd dated 15/21-21/01/2019.
- Annexure A7** – True copy of the revision petition dated 19.2.2019.

RESPONDENTS' ANNEXURES

Nil

-X-X-X-X-X-X-X-X-