

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH

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No. O.A. 350/00547/2020

Date of order: 20.10.2020

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Malin Kumar Ghosh,  
S/o Late S.N. Ghosh,  
Residing at 288/6/1  
Basudebpur Road,,  
Sarat pally,  
P.O. Shyamnagar,  
Dist. 24 Pgs (N),  
Pin - 743127,  
Working as Loco Pilot Goods (Diesel)  
Under DME (D&P), Sealdah Division,  
Eastern Railway.

.... Applicant

- VERSUS -

Union of India (Eastern Railway)  
Represented by the

1. The General Manager,  
Eastern Railway,  
17 N.S. Road,  
Kolkata - 700 001.
2. The Divisional Railway Manager,  
Eastern Railway, Sealdah,  
Kolkata - 700 014.
3. Senior DME,  
Sealdah,  
Eastern Railway,  
Kolkata - 700 014.
4. Senior Divisional Personnel Officer,  
Eastern Railway,  
Sealdah Divisional,  
Kolkata - 700 014.
5. The Divisional Mechanical Engineer (D & P),  
Eastern Railway,

*hsh*

Sealdah,  
Kolkata - 700 014.

6. The Divisional Mechanical Engineer (D & DM),  
Eastern Railway,  
Sealdah,  
Kolkata - 700 014.

... Respondents

For the Applicant : Mr. N. Roy, Counsel

For the Respondents : Mr. N.D. Bandyopadhyay, Counsel

ORDER (Oral)

**Per Dr. Nandita Chatterjee, Administrative Member:**

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985 primarily praying for a direction upon the respondent authorities to consider his appeal dated 19.9.2019.

2. Heard both Ld. Counsel, examined documents on record. This matter is taken up for disposal at the admission stage.

3. Ld. Counsel for the applicant would submit that the applicant had been penalized by the disciplinary authority vide order dated 2.8.2019 (Annexure A-5 to the O.A.) as follows:-

**"Reduction to a lower stage in a time scale of pay for 03 (three) years with non-cumulative effect."**

The applicant was also informed that he could prefer an appeal within 45 days to the appellate authority and the applicant, accordingly, appealed through proper channel to the concerned appellate authority on 19.9.2019 which was well within the time period specified for preferring an appeal.

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4. Both Ld. Counsel would agree that the said appeal is pending for disposal and a direction may be issued to the concerned respondent authority to dispose of the said appeal in a time bound manner.

5. Accordingly, without entering into the merits of the matter and with the consent of the parties, I hereby direct the competent appellate authority to dispose of the said appeal at Annexure A-7 to the O.A. in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and to convey his decision in the form of a reasoned and speaking order.

6. With these directions, the O.A. is disposed of. No costs.



**(Dr. Nandita Chatterjee)**  
**Administrative Member**

SP