

**CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH, KOLKATA**

LIBRARY

O.A/351/955/2020

Date of Order: 12.11.2020



Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Shri P.K.Khalid,
Son of Late K.P.Komu,
R/o Junglighat,
Port Blair Tehsil, South Andaman 744102
Lastly performed and discharged the duties
as in the capacity of In-Charge of Katchal Unit,
State Transport Services,
Andaman & Nicobar Islands.

... Applicant

- V E R S U S -

1. The Union of India
Service through the Secretary
Ministry of Human Resource & Development,
Shastri Bhawan, New Delhi - 110001.
2. The Chief Secretary,
A & N Administration
A & N Islands, Secretariat,
Port Blair-744101.
3. The Secretary, Transport,
A & N Administration
A & N Islands,
Port Blair-744101.
4. The Director,
Directorate of Transport
A & N Administration
Port Blair-744101.
5. The Transport Officer,
Bus Terminus, Port Blair,
A & N Islands-744101.

..... Respondents

For The Applicant(s): Mr. P.C.Das, Counsel

For The Respondent(s): Mr. R.Halder, Counsel

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ORDER (ORAL)Bidisha Banerjee, Member (J):

Heard Ld. Counsels for both the parties.

2. This O.A. has been preferred by the applicant to seek the following reliefs :

"a. A mandatory order be passed to direct the respondent authorities, more particularly to the respondent No. 4 to delete/erase/scrub out the name of the applicant from the duty allotment chart as on 24.09.2020 and further directing the respondent authority No. 3 to dispose of the appeal filed by the applicant in a time framed manner.

b. Any other appropriate relief, as Your Lordship may deem fit and proper."

3. The case of the applicant, in nutshell, is that on culmination of inquiry, penalty of reduction to lower grade (02 Grade) from Bus Driver Special Grade to Bus Driver Grade-II was imposed on the applicant by the Disciplinary Authority vide order dated 11.06.2020 (Annexure-A/1). Against such order of Disciplinary Authority, applicant preferred appeal on 03.08.2020 (Annexure-A/2), which is stated to be pending for consideration. While the matter stood thus, a chart of duty allotment of bus drivers was displayed in the notice board on 24.09.2020 (Annexure-A/4) wherein the applicant's name was appearing as spare driver from 12.30 to 8.30 PM. On this backdrop, the applicant has preferred this O.A. with the aforesaid prayers.

Ld. Counsel for the applicant would mention that since the statutory appeal is pending before the Appellate Authority, the applicant would be satisfied if a direction is issued to the Appellate Authority to dispose of the pending appeal in a time bound manner.

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4. At this juncture, when the appeal of the applicant is stated to be pending for consideration, without entering into the merits of the matter, it is hereby directed that the Appellate Authority shall dispose of the appeal preferred on 03.08.2020 as contained at Annexure-A/2, and shall issue a reasoned and speaking order on the appeal within a period of eight weeks from the date of receipt of a copy of this order granting appropriate relief to the applicant as entitled to in accordance with law.

5. O.A. is disposed of accordingly. There shall be no order as to costs.

(Bidisha Banerjee)
Member (J)

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