

(6)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 4TH DAY OF SEPTEMBER, 1997

Original Application No. 739 of 1996

HON.MR.JUSTICE B.C.SAKSENA,V.C.

HON.MR.S.DAS GUPTA, MEMBER(A)

Hakib Ahmed, S/o Shah Mohammad
Working as Upper Class Conductor
Northern Railway, Allahabad,
R/o 95-D/40-F, Chakiya, Allahabad.

... . . Applicant

(By Advocate Shri Anand Kumar)

Versus

1. Union of India through General Manager
Baroda House, New Delhi.
2. Divisional Railway Manager
Northern Railway, Allahabad.
3. Sr. Divisional Commercial Manager
Northern Railway, Allahabad.
4. Divisional Commercial Manager
Northern Railway, Allahabad.
5. Shri M.D. Pandey, Public Complaint
Inspector, Northern Railway, D.R.M. Office,
Commercial Cell, Allahabad.

... . . Respondents

O R D E R(Oral)

JUSTICE B.C.SAKSENA,V.C.

We have heard the learned counsel for the applicant for admission of the OA. The applicant challenges an order of punishment dated 12.4.94 of with-holding of increment for one year. Copy of the said punishment order has not been annexed with the OA and the applicant through a misc. application has sought a direction to be issued to the respondents to supply photostat copy of the punishment order and charge sheet as also a complaint made by the Ex M.P.

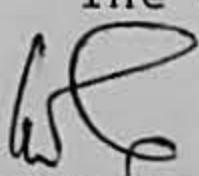
2. The main ground urged by the learned counsel for the applicant was that the applicant cannot be held responsible being incharge of the train for the inconvenience caused to the Ex M.P. From the memo of appeal annexed with the OA it

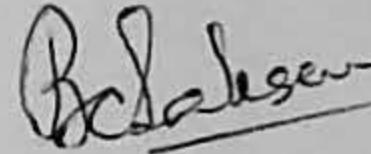
(7)

:: 2 ::

appears that the allegation against the applicant was that he allotted Renukoot quota to someone else when the same had already been allotted to the Ex. M.P. This Tribunal's power of review of orders in a disciplinary proceedings is limited. It can only interfere only if it be shown that the order of punishment is based on extraneous circumstances or the findings are perverse. No such plea has been taken in the OA. We, therefore, do not feel inclined to interfere with the order of punishment as also the appellate order and the revisional order.

3. The OA is dismissed summarily.


MEMBER (A)


VICE CHAIRMAN

Dated: 4th September, 1997

Uv/