

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 27 day of May 1996.

Original application No. 74 of 1996.

Hon'ble Mr. S. Das Gupta, AM
Hon'ble Mr. T.L. Verma, JM

Vijay Bahadur Yadav, S/o Sri Ganga,
R/o Village and post Nai Bazar,
Dist. Varanasi.

..... Applicant.

C/A Sri A.K. Yadav

Versus

1. The Union of India, through the Secretary, M/o Railway, Govt. of India, New Delhi.
2. The Loco Forman, Eastern Railway, Sone Nagar, Varanasi.
3. The Assistant Mechanical Engineer (P) Eastern Railway, Mughalsarai.
4. The Divisional Mechanical Engineer (P), Eastern Railway, Mughalsarai.
5. The Divisional Railway Manager, Eastern Railway, Mughalsarai.

..... Respondents.

O R D E R (ORAL)

Hon'ble Mr. S. Das Gupta, AM

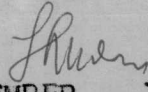
Heard the learned counsel for the applicant on admission. The applicant was chargesheeted for unauthorised absence. The inquiry officer ^{found} finds the charge established and agreeing with the report of the inquiry officer the disciplinary authority by the impugned order dated 17.2.89 had imposed penalty of removal from service. The appeal against the same order was rejected by an order

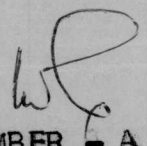
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dated 28.7.89. The applicant states that thereafter he has filed a mercy appeal but so far no action has been taken on the same.

2. The application is highly time barred. There is no explanation regarding delay in filing application except that the mercy appeal has been filed and the same is pending. We do not consider it sufficient explanation for the delay.

3. The application is highly time-barred and dismissed accordingly in limine. Nothing in this order however shall come in the way of the respondents for considering and disposing of the mercy appeal stated to have been filed by the applicant.


MEMBER - J


MEMBER - A

Arvind.