

Open Court

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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 964 of 1997

Tuesday, this the 09th day of September, 2003

HON'BLE MR JUSTICE R.R.K. TRIVEDI, V.C.
HON'BLE MR D.R. TIWARI, MEMBER - (A)

R.B.Saxena, S/o late Shri Bhairo Prasad Saxena,
Senior Clerk under Chief Traction, Office/O.H.E.,
Northern Railway, Mirzapur at present resident of
House no. 866, Old Katra, Allahabad.

Applicant

By Advocate : Shri A.K.Srivastava

Versus

1. Union of India through its
Chairman Railway Board,
Baroda House, New Delhi.
2. The Additional Divisional Railway
Manager, Northern Railway, Allahabad.
3. Senior Divisional Electric Engineer,
T.R.D., Northern Railway, Allahabad.
4. Divisional Electric Engineer, T.R.D.
Northern Railway, Allahabad.
5. S.C. Gupta, Inquiry Officer,
Commissioner of Departmental
Inquiries, Jam Nagar House,
Akbar Road, New Delhi.

Respondents.

By Advocate : Shri A Sthalekar

O R D E R (Oral),

By Hon'ble Mr Justice R.R.K.Trivedi, V.C.

By this O.A., filed under section 19 of Administrative Tribunal Act 1985, the applicant has challenged the order dated 09.05.1996 (Annexure - I) by which Disciplinary Authority passed order of removal against the applicant on conclusion of the disciplinary proceedings. The order was challenged in appeal, which was dismissed on 30.7.1996 and a revision was also filed, which was dismissed on 25.4.1997, which ~~had~~ ^{also} been challenged.

2- The facts of the case are that the applicant was serving as Senior Clerk in the office of S.T.F.O./P.S.I./ Kanpur during the period of 1987-88. The applicant supplied fake appointment letter purporting to be issued from D.R.M. Office, Allahabad to two persons namely Shri Ram Chander and Shri Jagdev Prasad for obtaining employment in the Northern Railway. The applicant was charged for misconduct, he was served a memo of charge on 01.10.1992 (Annexure IV). Shri S.C.Gupta, Commissioner Departmental Inquiry/Chief Vigilance Commissioner, New Delhi, conducted the inquiry and found the charges levelled against the applicant proved. The Disciplinary Authority ~~agreed~~ ^{agreed} with the findings and passed the order of punishment as stated above, which has been confirmed in appeal and revision.



3- After hearing, Shri A.K.Srivastava, learned counsel for the applicant, at length and ^{on} perusal of the record, we do not find any good ground for interference by this Tribunal. The misconduct committed by the applicant was serious, punishment awarded is commensurate to the misconduct, ~~inflicted against~~ committed by the applicant. We do not find any merit in the O.A. and is accordingly dismissed.

4. There shall be no order as to costs.

Deva
Member (A)

R
Vice-Chairman

Brijesh/-