

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No.1385 of 2004.

Allahabad this the 22nd day of November 2004.

Hon'ble Mr. D.R. Tiwari, A.M.

O.P. Saxena (Retired)
Assistant Land Control Inspector,
Son of Shri Shyam Sunder Lal,
Resident of Village and Post Mahava,
District Khiri Lakhimpur U.P.

.....Applicant.

(By Advocate : Sri H.C. Shukla)

Versus.

1. Union of India
through the General Manager
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Moradabad.
3. Divisional Engineer (G) Northern Railway
Moradabad.
4. Divisional Superintending Engineer (C)
Northern Railway, Moradabad.

.....Respondents.

(By Advocate : Sri A.K. Gaur)

O_R_D_E_R

By this O.A., filed under section 19 of Administrative Tribunals Act 1985, the applicant has sought for issuance of a direction to the respondents for deciding the appeal dated 28.08.2001 which is at Annexure A-5.

2. The applicant, at the relevant time, was working as Assistant Land Control Inspector in the office of Land Control, Moradabad, Northern Railway, Moradabad Division. He was served with a chargesheet dated 28.05.2001 and in reply to the chargesheet, he submitted an explanation dated 06.06.2001 in which he denied the charges.

D.R. Tiwari

3. Learned counsel for the applicant submits that on the basis of bare chargesheet, he has been punished by the punishment order passed by Divisional Engineer (G), Northern Railway, Moradabad on 17.07.2001. He has stated that while submitting the representation/explanation he has also requested for supply of a copy of the noting on the file which form part of the chargesheet. He submits that he was not given a copy of the noting of the file and without any proper verification the Punishing Authority has imposed the penalty of reduction of pay from the stage of Rs.6050/- to the stage of Rs.5750/- in the scale of Rs.5000-8000 for a period of one year from the date of the order without postponing future increments. Against this order, the applicant has filed appeal to the Competent Authority/respondent No.4 which is still pending, has not yet been decided. He has followed the appeal by many reminders to the Competent Authority. Memo of appeal was in detailed which is dated 28.08.2001 (Annexure A-5).

4. Under the facts and circumstances mentioned above, I am of the view that the ends of justice would be better served if the Competent Authority/respondent No.4 is directed to decide the appeal mentioned above within a prescribed period, by a reasoned and speaking order.

5. Accordingly, the O.A. is finally disposed of with a direction to the respondent No.4/Competent Authority to consider and decide the appeal of the applicant dated 28.08.2001 (Annexure A-5) by a reasoned and speaking order to be passed within a period of three months from the date of communication of the order.

No costs.

Dinesh
Member-A.