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Reserved

Central Administrative Tribunal, Allahabad.

Registration O.A.No.738 of 1987

Panna Lal ... Applicant

Vs.

Union of India and others ... Respondents.

Hon.D.S.Misra, AM
Hon.G.S.Sharma, JM

(By Hon.G.S.Sharma, JM)

In this petition under Section 19 of the Administrative Tribunals Act XIII of 1985, the applicant challenges the validity of the order dated 16.4.1985 passed by the Divisional Operating Superintendent Northern Railway Allahabad- respondent no.3 by way of punishment. The petition was filed on 14.8.1987 with the allegation that the applicant had filed an appeal against the order of punishment on 28.5.1985 but the same has not been decided despite reminder dated 22.7.1985.

2. We have carefully examined the record in the light of the submissions made on behalf of the applicant and find that this petition is not within time prescribed by Section 21 of the Administrative Tribunals Act. The limitation ~~for the appeal~~ expired after the expiry of 18 months from the date the appeal was preferred by the applicant and the subsequent reminders and the notice given by the applicant under Section 80 CPC will not extend the period of limitation. As the appeal is still stated to be pending with the respondents and under the rules, ~~the same~~ should have been decided much before filing of this petition, we feel inclined to direct the respondents to dispose of the appeal within a period of 3 months.

3. We accordingly direct the respondents to dispose of the appeal dated 28.5.1985 preferred by the applicant, if received in their office, against the order of his removal from service

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within a period of 3 months from the date of the receipt of this order. The petition is disposed of finally at admission stage.

K. S. M. A.
29.3.88
MEMBER (A)

S. M. A.
MEMBER (J)

Dated: 29th March, 1988
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