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Court No. 1.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

Registration (C.A.) No. 769 of 1987

Abdul Jamil Applicant.

Versus

Union of India and others Respondents.

Hon'ble Justice A. Banerji, Chairman (J).
Hon'ble A. Johri, Member (A).

This is an original application filed by Abdul Jamil, who was a Reservation Clerk in the Northern Railway posted at Aligarh. He is aggrieved by the fact that he has filed an appeal before the Additional Divisional Railway Manager, Northern Railway, Allahabad against an order of dismissal dated 16/19.1.1987 by the Senior Divisional Commercial Superintendent, Northern Railway, ^{is} Allahabad. The applicant's plea/that the appeal has not yet been decided and remains pending, although almost 22 months have elapsed.

2. The applicant has, in the memo of appeal, pointed out various irregularities in the enquiry proceedings and has also alleged that the conclusion arrived at by the Enquiry Officer was without any evidence as the relevant documents (51 in number) were lost or misplaced by the Enquiry Officer and were not available. Another ground taken is that the enquiry report was based on extraneous considerations. Further ground alleged is that the Disciplinary Authority did not apply its mind and accepted the findings. Lastly, it was stated that the evidence be re-appraised for the reasons mentioned above.

3. We have heard the learned counsel for the applicant. No one has appeared for the respondents. We

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are of the view that the appeal needs to be decided by the Appellate Authority at the earliest. Sufficient time has passed and there is no reason why the appeal could not be heard and decided within this 22 months. As serious allegations have been made in the grounds of appeal, it was only just and proper that the appeal was decided promptly. Consequently without advertiring to the merits of the case we direct the Appellate Authority to dispose the appeal after giving the opportunity of hearing to the applicant within a period of two months from to-day. This application is accordingly disposed of.

B. S. R. A. /

MEMBER (A).

Ab. /

CHAIRMAN (J).

Dated: November 16, 1988.

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