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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application No. 1618 of 1993

K.N. Singh

.... Applicant

Versus

Union of India and Ors

.... Respondents

CORAM:

HON'BLE MR. MAHARAJ DIN MEMBER(J)

HON'BLE MISS, USHA SEN, MEMBER(A)

(By Hon. Mr. Maharaj Din, J.M.)

The applicant preferred this application Under Section 19 of the Administrative Tribunals Act seeking the relief that the respondent no.2 senior Divisional Railway, Manager Northern Railway Lucknow be restrained from passing the punishment order in the departmental proceedings.

2. The relevant facts giving rise to this application are that the applicant worked as Station supdt. and involved himself in a criminal proceeding on account of alleged embezzlement of certain amount. While the criminal proceedings were going on the departmental proceedings were also drawn against the applicant. The applicant has approached this Tribunal seeking the relief that a final order in the departmental proceedings may not be passed. The applicant also prayed for the interim relief and the interim relief were granted to him to this effect that the respondents were directed not to pass the final order.

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3. The respondents filed counter reply and has stated that before institution of this application the order of punishment of ~~dismissal~~ of removal in pursuance of the departmental enquiry was already passed on 9.10.93.

The learned counsel for the applicant has contended that since the order of removal has already been passed though it is backdated as per his version but he wants to prefer the appeal against the same in the department. In these circumstances, he does not want to press this application.

4. The application thus, have become infructuous. The appellate authority may ignore the delay caused in filing the appeal during the pendency of this O.A.

Umesh
Member (A)

Chintu
Member (J)

Dated: 18.3.1994

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