

29-11-2000

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

Hon'ble Mr. S. Dayal, A.M.

Sri RK Nigam, counsel for the applicant. Sri AV Srivastava, counsel for the respondents.

2. Heard counsel for the parties on MA No. 4081/00. By this MA prayer has been made that the Senior Divisional Engineer, Central Railway, Bhopal may be impleaded as respondent no.3. In view of the submission of the respondents made in para 3(d) of the CA, the amendment proposed appears to be justified. The applicant is allowed to implead respondent no.3. Let Senior Divisional Engineer, Central Railway, Bhopal be impleaded as respondent no. 3 and UOI shall be shown to be represented by the General Manager, Central Railway, Mumbai. The amendment shall be <sup>made in O.A.</sup> carried during the course of the day.

3. We have heard Sri RK Nigam, counsel for the applicant and Sri AV Srivastava, counsel for the respondents. Order is dictated separately.

 Member (A)

 Vice Chairman

Dube/

*Amendment  
Carried out  
as per order  
of Hon'ble Comt  
of Law  
29/11/2000*

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD

Allahabad : Dated this 29th day of November, 2000  
Original Application No.1065 of 1993

CORAM :-

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

Hon'ble Mr. S. Dayal, A.M.

Babu Lal

Son of Shri Jagan Nath,

Resident of Gram Andhra,

Post-Alapur,

Distt-Lalitpur.

(Sri RK Nigam, Advocate)

..... Applicant

Versus

1. Union of India, through General Manager,  
C. Rly. Mumbai, C.S.T.M.
2. Divisional Railway Manager, C. Rly, Jhansi.
3. Sr. Divisional Engineer, C. Rly,

Bhopal.

(Sri AV Srivastava, Advocate)

..... Respondents

O R D E R (O\_r\_a\_1)

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

It appears that a disciplinary order of punishment of removal was passed against the applicant on 13-1-1987. An appeal against the aforesaid order preferred by the applicant on 13-2-1987 has not yet been decided. In the counter affidavit, it has been stated that due to bifurcation of the divisions, the record including the file relating to the Appeal of the applicant was sent to Bhopal. On bifurcation of Senior Divisional Engineer, Central Railway, Bhopal became the competent authority to decide the appeal of the applicant. On their own saying that the bifurcation took place in 1986, it would not have been difficult for the

respondents to intimate respondent no.3 to decide the Appeal at the earliest for which the order was passed by this Tribunal on 27-7-1989, in OA No.1099/1989. We do not find any justification on part of the respondents for not deciding the departmental Appeal for such a long time. The application is, however, disposed of with the direction to the respondent no.3 to decide the Appeal of the applicant within two months from the date of receipt of the copy of this order. It is made clear that if respondent no.3 feels and require any paper from the applicant, it shall be open to him to ask for the same.

2. There shall be no order as to costs.

  
Member (A)

  
Vice Chairman

Dube/