

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1387 of 1994

Allahabad this the 20th day of April, 2001

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.S. Biswas, Member (A)

Brij Mohan, aged about 55 years, Son of Sri Purushottam, resident of village Katawaiya, P.O.Kalona Distt. Mirzapur.

By Advocates Shri R.K. Pandey
Shri A. Singh

Versus

1. Union of India through The Divisional Rail-Manager, (N.R.), Allahabad.
2. Divisional Superintendent N.R., Allahabad.
3. Assistant E.R, Chunar, Mirzapur.

Shri A.V. Srivastava,
By Advocates Shri Jagannath Singh

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

While ~~working~~^{working} as Mate under P.W.I., Chunar,

the applicant-Brij Mohan was served with chargesheet dated 04.10.1993, which he replied on 08.11.1993. The disciplinary authority passed punishment order on 22.12.1993 imposing the penalty of reduction in basic pay to lowest stage for 3 years. The applicant preferred appeal against this order on 09.02.1994 and as per ~~par~~ mention in para-10 of the O.A., the appeal

of the applicant is under consideration of the appellate authority.

2. Now the applicant has come up seeking relief to the effect that the punishment order dated 22.12.1993 be set aside. The main ground assailing this punishment order is that he was not given due opportunity and his representation/reply was not considered in right prospective.

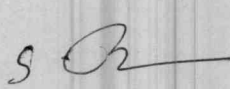
3. The respondents have contested the case and supported the impugned order being passed by the competent authority after applying due procedure as per rules in this regard.

4. Heard Shri R.K. Pandey, counsel for the applicant and Shri A.V. Srivastava, counsel for the respondents and perused the record.

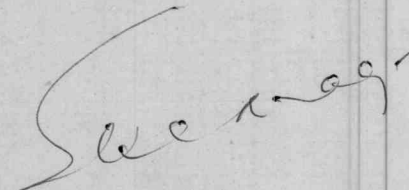
5. It is not in dispute that the applicant preferred appeal against the impugned punishment order and the appeal is yet to be decided and, therefore, we decide the matter finally with the following direction;

"the pending appeal of the applicant be decided within 8 weeks from the date of communication of this order after giving due opportunity of hearing to the applicant."

6. No cost.


Member (A)

/M.M./


Member (J)