

Open Court.

Central Administrative Tribunal,
Allahabad Bench, Allahabad.

Dated: Allahabad, This The 20th Day of October, 2000.

Coram: Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr. S. Biswas, A.M.

Original Application No. 1430 of 1994.

Panaroo Ram
son of Sita^R Ram,
Head T.T.E.
E. Railway,
Mughalsarai,
Varanasi.

. . . Applicant.

Counsel for the Applicant: Sri S.K. Dey, Adv.

Versus

1. Union of India through the General Manager,
E. Railway, Calcutta-1.
2. The Chief Commercial Manager, E. Railway,
Calcutta-1.
3. The Addl. Divisional Railway Manager,
E. Railway, Moghalsarai.
4. The Divisional Commercial Manager, E. Railway,
Moghalsarai.

. . . Respondents.

Counsel for the Respondents : Sri A.K. Gaur, Adv.

Order (Open Court)

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

We have heard Sri S.K. Dey, learned counsel
for the applicant and Sri A.K. Gaur for the respondents.

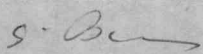
2. This application under section 19 of the

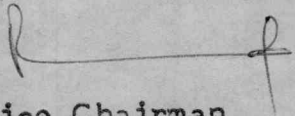


Act has been filed challenging the order of punishment dated 31.5.93 by which the applicant was punished by stoppage of increments for three years.

3. The charge against the applicant is that on the relevant date he was working as T.T.E. between Howrah to Gaya in Train No. 3009 Up. The three tier coach was over-crowded by waiting list passengers and other passengers but the applicant did not make any effort to get the unauthorised persons present in the coach to be ousted. Only defence the applicant set up was that he by telegram communicated the coming station but no help was extended at any station. In our opinion this defence is not sufficient to rebutt the charge levelled against the applicant. If applicant had time to send the telegram at the same station, he ^{or also} could call the police to get the passengers (unauthorised) removed from the coach. The orders of punishment are concluded by finding of fact and do not call for interference by this Tribunal.

Application is accordingly rejected. No order as to costs.


Member (A.)


Vice Chairman

Nafees.