

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 17TH DAY OF DECEMBER, 2002

Original Application No.290 of 1995

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Madan Prasad, son of Late Ram Niwas Prasad, both c/o Madan Prasad, Civil Lines(Behind Yusuf Club) I.T.I Road, Fatehpur.

... Applicant

(By Adv: Shri B.N.Singh)

Versus

1. Union of India through the Secretary Ministry of Railways, Government of India, New Delhi.
2. Additional Divisional Railway Manager, Northern Railway, Allahabad Division, Allahabad.
3. Senior Divisional Electrical Engineer(TR-D), Northern Railway, Allahabad.
4. Divisional Electrical Engineer, (TR-D), Northern railway, Kanpur.

.. Respondents

(By Adv: shri Prashant Mathur)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA u/s 19 of A.T.Act 1985 applicants have challenged the orders of punishment dated 26.6.1993 by which punishment of withholding two increments for a period of two years with cumulative ~~was awarded~~ effect. It may be mentioned here that applicant no.1 made an application subsequently and got his OA dismissed by order dated 18.12.1995. Thus the present OA survives only with regard to applicant no.2 Madan Prasad. Madan prasad filed an appeal against the order dated 26.6.1993. the Appellate Authority by order dated 29.1.1994

modified the punishment and the punishment was converted into ^{with} non cumulative effect.

We have gone through the case ^{and} the findings recorded by the disciplinary authority and in our opinion in the facts and circumstances of the case and considering the findings recorded, ^{that} the applicant played a positive role, we do not find it a fit case to interfere by this Tribunal. The effect of the punishment ^{is} ~~has~~ already over as after two years the applicant must have been restored his pay for which he was entitled.

The OA is dismissed accordingly with no order as to costs.


MEMBER (A)


VICE CHAIRMAN

Dated: 17th Dec: 2002

Uv/