

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1379 of 2000

Allahabad this the 07th day of December, 2000

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

Jawahar Lal Vishwakarma, Son of Shri Ram Das Vishwakarma, Working as E.S.M. IIInd(Signal), N.E. Railway, Hathrash City, District Hathrash.

Applicant

By Advocate Shri N.L. Srivastava

Versus

1. Union of India through Ministry of Railway, Baroda House, New Delhi.
2. Divisional Railway Manager(Signal), North Eastern Railway, Ijjatnagar.
3. Senior Divisional, Signal and Telecommunication Engineer, North Eastern Railway, Ijjatnagar.
4. Section Engineer(Signal), North Eastern Railway, Mathura, Chhawani, Mathura, District Mathura.
5. Assistant Engineer(Signal) Evam Communication, North Eastern Railway, Fatehgarh, District Fatehgarh.

Respondents

O R D E R (Oral)

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

Shri Jawahar Lal Vishwakarma while posted as E.S.M. IIInd, Hathrash was subjected to departmental proceedings, which ended into punishment of temporary

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stoppage of two increments for two years. He has come up seeking relief against this action of the respondents, mainly on the ground that the order is non-speaking and does not narrate the full facts. He has also assailed the appellate order, copy of which has been annexed as annexure-8 to the O.A. on the ground that the same has been passed mechanically.

2. Heard, Shri N.L. Srivastava, learned counsel for the applicant at great length and considered the arguments placed by him, in the light of impugned order and the law in this regard. I find it is a case of minor punishment and the details given in the impugned order are sufficient for the purpose.

3. The applicant has also alleged malafide against the respondent no.5, but that does not stand substantiated by any document in support thereof. Moreover, the alleged facts are not sufficient to hold that the Officer was having any malafide against the applicant and out of that malafide he will impose a very simple punishment of stoppage of increments temporarily for 2 years, whereas he is the authority who could rather ~~snapped~~ the services of the applicant.

4. For the above, I find that the O.A. deserves to be dismissed and is dismissed in limine accordingly. No order as to costs.

S. C. Mehta
Member (J)

/M.M./