

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD  
ORIGINAL APPLICATION NO. 1384 OF 2000  
TUESDAY, THIS THE 29TH DAY OF OCTOBER, 2002

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

Karamat Ali son of Sri Shasmat Ali,  
Northern Railway Colony,  
Ketillia, District : Shahjahanpur. .... Applicant  
(By Advocate Shri T.C. Shrama)

Versus

1. Union of India,  
through the Secretary,  
Ministry of Railway,  
New Delhi.
2. Divisional Railway Manager,  
Northern Railway,  
Morababad.
3. Additional D.R.M. Moradabad,  
Northern Railway,  
Morababad.
4. Divisional Superintending,  
Engineer IInd Northern Railway,  
Moradabad. .... Respondents  
(By Advocate Shri P. Mathur)

O R D E R

HON'BLE MRS. MEERA CHHIBBER, MEMBER-J

By this O.A. the applicant has challenged the orders dated 18.02.1999 and 27.04.2000 passed by respondent nos 3 and 4. It is submitted by counsel for the applicant that on the same day, different order were passed where by the applicant's annual increments were stopped and his appeal was rejected. It is submitted by the applicant that the applicant was chargesheeted on the allegation (Page 16) as under:-

"Collesion of 3019 up with trolley No.73 of PWI/SPN on 3.11.1998 took place as Shri Karamat Ali PWI in Charge/SPN failed to take timely action and remove the trolley from the line, when he was on trolley, hence Sri Karamat Ali PWI/SPN is responsible for the accident."

2. The applicant had given his representation stating therein all the facts and legal submissions with the prayer that in case there is no evidence, the chargesheet may be dropped otherwise photocopies of the fact finding records may be supplied to him so that he could file his representation (Page 16). However, vide order dated 18.02.1999 (page 11), the disciplinary authority after holding the reply given was not satisfactory, held him guilty of charge as per SF-11 and imposed the penalty of withholding the increments temporarily for six months without postponing the future increments. Against the said order the applicant filed his appeal which was decided on 27.04.2000 (page 14) by which his appeal dated 3.4.2000 was returned being time barred. Being aggrieved and dissatisfied with the said order, the applicant preferred a revision to the General Manager. However, he was informed vide order dated 12.07.2000 (Annexure CA-4) informing the applicant that he has given his revision to the General Manager but as per the rules, the same should be addressed to the Chief Engineer, Northern Railway, Baroda House, New Delhi. Therefore, calling upon him to amend the revision petition so that the same may be decided accordingly. It is, therefore, seen that the revision petition of the applicant was not considered as he had not addressed the same to the proper authority. In O.A. No.1385/00, filed by the same applicant <sup>against the</sup> the other set of orders, the O.A. was disposed of by giving liberty to the applicant to file a fresh representation before the Chief Engineer, Northern Railway, Borada House, New Delhi, who was directed to consider the same within a period of four months.

3. Both the counsel agreed that this O.A. may also be disposed of on the same lines. Accordingly, the applicant is directed to file a proper revision petition to the Chief

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Engineer, Northern Railway, Baroda House, New Delhi within a period of one month from today. The respondents are directed to place the said revision before the appropriate authority namely the Chief Engineer who should dispose of the same by passing a detailed and reasoned order within a period of four months thereafter. The orders passed by the Chief Engineer should be communicated to the applicant who will have the liberty to challenge the same in case he is still aggrieved.

4. With the above direction, the O.A. is disposed of with no order as to costs.



Member-J

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