

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 1st day of October 2002.

Original Application no. 1385 of 2000.

Hon'ble Mr. A.K. Bhatnagar, Member (J).

Karamat Ali, S/o Shashmat Ali,
R/o M.R. Colony Katihhia,
Distt. Shahjahanpur.

... Applicant

By Adv : Shri T.C.Sharma

Versus

1. Union of India, through the Secretary,
Ministry of Railways, New Delhi.
2. Divisional Railway Manager, Northern Railway,
Moradabad.
3. Additional D.R.M. Moradabad, N. Rly.,
Moradabad.
4. Divisional Supdt. Engineer, IInd N. Rly.,
Moradabad.

... Respondents

By Adv : Shri P Mathur

ORDER

Hon'ble Mr. A.K. Bhatnagar, JM.

By this OA, filed under section 19 of the A.T. Act, 1985, the applicant has challenged order dated 18.2.1999 by which the applicant's annual increment has been stopped for six months with cumulative effect and also order dated 27.4.2000 rejecting the applicant's appeal submitted in-respect of the aforesaid order. The applicant has prayed for quashing of orders dated 18.2.1999 & 27.04.2000.

2. The brief facts, in short, as per the applicant are that the applicant was working as P.W.I. Shahjahanpur. He was served with a charge sheet with the allegation that on 03.11.1998 an accident ^{in took in} ~~did take~~ place for which certain

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person/employees were ^{found ✓} responsible and applicant was held careless as such the applicant was said to have violated the provisions of para 3 (1) (II) and (3) (i) (III) of Railway Servants (Conduct) Rules 1968. The applicant replied the charge sheet. The applicant vide his application dated 03.02.1999 prayed for supply of certain documents which were not supplied to the applicant. The respondent no. 4 vide his order dated 18.2.1999 imposed penalty to the applicant by temporarily with-holding the increment of the applicant with cumulative effect. for six months/ Aggrieved by this applicant filed an appeal dated 9.4.1999 before respondent no. 3, which was rejected by order dated 27.4.2000. Thereafter, the applicant filed revision before the General Manager, N. Rly., Baroda House, New Delhi on 18.6.2000, which was returned to the applicant on 2.7.2000 stating that his revision lies before Chief Engineer, N. Rly., Baroda House, New Delhi, hence he should file the revision before Chief Engineer, N. Rly., Baroda House, New Delhi.

3. I have heard learned counsel for the parties and perused records.

4. In my opinion the ends of justice shall be better served, if the applicant files a fresh representation before the Chief Engineer, N. Rly, Baroda House, New Delhi and Chief Engineer, N. Rly., Baroda House, New Delhi may decide the same within ^{an} specified time.

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5. In view of the aforesaid, the OA is disposed of with the liberty to the applicant to file a fresh revision before Chief Engineer, N. Rly., Baroda House, New Delhi, if he so desires, within a month and the Chief Engineer, N. Rly., Baroda House, New Delhi, is directed to consider and decide the same within a period of four months by a reasoned and speaking order, from the date of communication of copy of this order.

6. There shall be no order as to costs.


Member (J)

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