

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 11th day of December, 2000

C O R A M :- Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

Orginal Application No. 1420 of 2000.

Pancham Lal S/o Sri Bhaddu Lal  
R/o Room No. 217, Rajiv Nagar Nagar,  
P.O. Prem Nagar, Jhansi

..... Applicant

Counsel for the applicant:- Sri J.N. Rai

V E R S U S

1. Union of India through its Secretary,  
Ministry of Railway, New Delhi
2. Divisional Rail Manager, Central Railway,  
Jhansi.
3. Chief Medical Superintendent, Jhansi.

..... Respondents.

Counsel for the respondents :-

O R D E R (Oral)

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

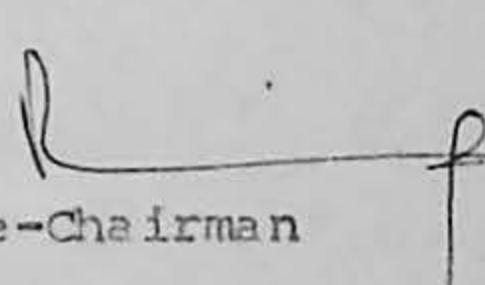
By this application under section 19 of  
the Administrative Tribunal's Act, 1985 applicant has  
challenged the order dt.30.09.99. Before coming to



2.2.2

this Tribunal, applicant had filed an appeal before D.R.M, Central Railway, Jhansi, a copy of which has been annexed as annexure A-4. The medical advise given is that the applicant ~~was declared~~ unfit on account of mailingering, and impugned order dt. 30.09.99 has been passed ~~against him~~ retiring <sup>& him</sup> from the service. The learned counsel for the applicant has submitted that on account of mailingering, applicant cannot be retired compulsorily. The applicant can be retired from the services only after regular disciplinary proceeding. In the memo of appeal also this ground has been taken by the applicant. In my opinion ends of justice shall be better served if respondent No. 2 be asked to decide the appeal of the applicant by the reasoned order within a specified time. The application is accordingly disposed of finally with the direction to respondent No. 2, D.R.M, Central Railway, Jhansi to decide the appeal of the applicant by reasoned order after giving him opportunity of hearing within three months from the date a copy of this order is filed before him.

2. There will be no order as to costs.

  
Vice-Chairman

/Anand/