

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD.

Allahabad this the 28th day of March 2001.

Original Application no. 278 of 2000.

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

Hon'ble Maj Gen K.K. Srivastava, Member-A.

Vijay Jaiswar,
S/o late Shri Kishan Lal,
R/o T-8/C, Railway Colony,
Prayag,
ALLAHABAD.

... Applicant

C/A Shri R. Verma

Versus

1. Union of India through the General Manager,
N. Rly., Baroda House,
NEW DELHI.
2. The Senior Divisional Commercial Manager,
N. Rly.,
LUCKNOW.
3. The Divisional Commercial Manager,
N. Rly.,
LUCKNOW.

... Respondents

C/Rs. Sri G.P. Agarwal

...2/-

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O R D E R (Oral)

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

As per facts of the case, consequent upon the disciplinary proceedings, the applicant was imposed with the penalty of reduction to a lower stage of pay from existing grade of Rs. 4000 - 6000 to grade of Rs. 3200 - 4900. The Senior Divisional Commercial Manager, Lucknow, ⁱⁿ exercise of his power under rule 25, issued notice to the applicant for enhancement of penalty against which the present OA, ^{has been filed} wherein, he sought for interim relief to get the stay of the operation of this notice dated 17.02.2000, copy of which has been annexed as Annexure A-1. No interim relief was granted by the Tribunal, hence, he went up on writ side of Hon'ble High Court, wherein the matter came up on Writ Petition no. 20305 of 2000 and disposed of vide order dated 02.05.2000 with the observation " In the meantime, the respondents no. 3 is directed not to pass any order in pursuance of the memorandum dated 17.02.2000. However, the stay order shall come to an end as soon as the Central Administrative Tribunal decides the case or the appeal of the petitioner is disposed of by respondent no. 3." Now, as mentioned by Shri G.P. Agarwal, learned counsel for the respondents, the appeal has been decided and punishment upheld by order dated 17.07.2000. He has also produced before us the photocopy of the order which we ^{retained} ~~restrain~~ on record and the applicant is present

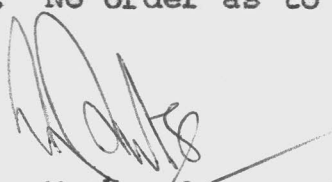
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...3/-

in person as well as his learned counsel are afforded an opportunity to go through this complete order and Shri G.P. Agarwal, learned counsel for the respondents is directed to furnish its copy just today.

2. After this development, the applicant prefers to withdraw the present O.A. reserving his right to bring fresh O.A. for which the prayer has been solicited.

3. The OA is disposed of as above. The liberty is granted to the applicant to bring fresh O.A. as per above observation. No order as to costs.


Member-A


Member-J

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