

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,

ALLAHABAD.

....

original Application No. 382 of 2002.

On this the 21st day of October 2003.

HON'BLE MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON'BLE MR. D.R. TIWARI, MEMBER(A)

Man Singh Yadav, aged about 61 years, S/o Sri Bare Bhaiya,
R/o House No. 1072, Dildar Nagar, behind Khati Baba,
Jhansi.

Applicant.

By Advocate : Sri R.K. Nigam (absent)

versus.

1. Union of India through General Manager, Central Railway, Mumbai CST.
2. D.R.M., Central Railway, Jhansi.
3. Additional D.R.M. (I), Central Railway, Jhansi.

Respondents.

By Advocate : Sri Anil Kumar.

O R D E R

BY JUSTICE R.R.K. TRIVEDI, V.C.

List has been revised. None is present for the applicant. We have heard Sri Anil Kumar appearing for the respondents and perused the record.

2. It appears that the disciplinary proceedings were initiated against the applicant, who was serving as Crane Driver, and was awarded penalty by reducing him in the lower grade from Rs. 1320-2040 to Rs. 1200-1800, fixing pay at Rs. 1200/- for a period of 1-1/2 years. The appeal against the aforesaid order was rejected on 9.5.1994. The said order was challenged by the applicant before this Tribunal by filing O.A. no. 1492 of 1994. The said O.A. was allowed in part. The appellate order was quashed with the following directions:

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"The O.A. is accordingly allowed in part. The appellate order dated 9.5.1994 (Annexure-2) is quashed. The appeal of the applicant shall stand revived before the competent authority and shall be considered and decided in the light of the order dated 17.1.1992 and observation made in this order and also in the order of Hon'ble High Court, within a period of three months from the date of copy of this order is filed before him. No order as to costs."

3. In pursuance of the aforesaid order, the appeal of the applicant has been decided by order dated 12/13.7.01.

The appeal of the applicant has been rejected and punishment order has been maintained. This O.A. has been filed challenging the said order. We have perused the order.

However, we do not find any good ground for interference.

The facility of hostel was provided to the son of the applicant to complete LL.B course on his assurance ~~that~~ it shall be vacated as and when required. He failed to

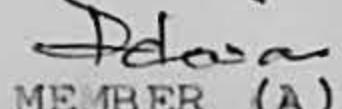
fulfil the assurance given and his son and nephew

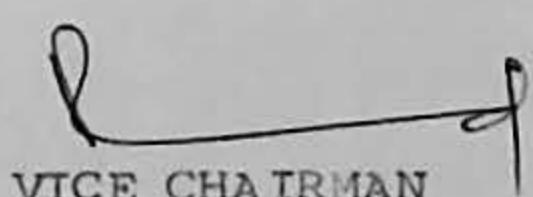
over stayed in the hostel causing difficulty. In the

circumstances, the punishment imposed is justified

and calls for no interference. The O.A. is accordingly

dismissed with no order as to costs.


MEMBER (A)


VICE CHAIRMAN

GIRISH/-