

OPEN COURT (17)

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH ALLAHABAD**

(THIS THE 17th DAY OF November, 2009)

PRESENT:

HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J

HON'BLE MR. S.N SHUKLA, MEMBER - A

ORIGINAL APPLICATION NO. 69 of 2002

(U/s, 19 Administrative Tribunal Act.1985)

Hem Narain Tiwari, S/o late Sri Algoo Tiwari, R/o New
Rail Vihar, 2/13, Chargewan, Gorakhpur.

.....Applicant

By Advocate: Shri B. Tiwari

Versus

1. Union of India through the General Manager, N.E.
Railway, Gorakhpur.
2. Deputy C.P.O, Workshop, N.E. Railway, Gorakhpur.
3. Chief Works Manager, Mechancial Workshop, N.E.
Railway, Gorakhpur.

..... Respondents

By Advocate: Shri K.P Singh

ORDER

(DELIVERED BY: JUSTICE A. K. YOG- MEMBER-JUDICIAL)

Heard learned counsel for the parties. Point raised is short. According to the Applicant, none of the three impugned orders dated 01.3.2000, 27.7.2000 and 23.4.2001 (Annexures A-1, A-II and A-3) contain reasons showing application of mind. In other words, orders are not speaking order and one cannot find out, nature of the charge/s, the explanation in defence and evidence brought on record – to support said defence.



2. In view of the above, we set aside impugned orders 01.3.2000, 27.7.2000 and 23.4.2001 (Annexures A-1, A-II and A-3) with direction to the Disciplinary Authority to pass fresh orders within 3 months of receipt of a certified copy of this order.

3. O.A. allowed subject to above observations. No costs.



Member (A)



Member (J)

Manish/-