

(Open Court)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 14th day of September, 2004.

Original Application No. 1305 of 2003.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.
Hon'ble Mrs. Roli Srivastava, Member - A.

R.B. Pandey S/o Sri Kapil Dev Pandey
R/o Vill. & P.O.- Batrauli Pandey, Distt. Deoria.

.....Applicant

Counsel for the applicant :- Sri B. Tiwari

V E R S U S

1. Union of India through the General Manager,
N.E. Railway, Gorakhpur.
2. Senior Divisional Commercial Manager,
N.E. Railway, Varanasi.
3. Director of Vigilance, Railway Board,
New Delhi.
4. Chief Vililance Officer, N.E. Railway,
Gorakhpur.

.....Respondents

Counsel for the respondents :- Sri K.P. Singh

O R D E R

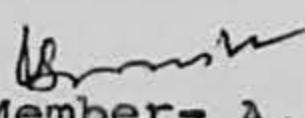
By Hon'ble Mr. Justice S.R. Singh, VC.

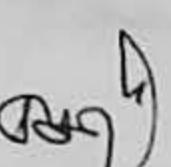
The applicant, it appears, was served with a charge-memo containing the statement of mis-conduct and mis-behaviour on basis of which article of charges had been framed against the applicant who was then working as TTE, Gorakhpur (East) under D.R.M (C), N.E. Rly., Varanasi. The instant O.A seeks issuance of the direction setting aside the charge-sheet and disciplinary proceeding initiated against the applicant or, in the alternative, the respondents may be directed to finalise the disciplinary

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proceeding within the stipulated period. Other relief claimed is that the respondents be directed to give pensionary benefits including gratuity and leave encashment within a reasonable period with 10% interest on delayed payment. Obviously the second relief would be consequential depending on the result of the disciplinary proceeding. The Tribunal by its order dated 04.11.2003 had directed the 2nd respondent to decide the applicant's representation dated 26.08.2003 within a period of one month. Despite opportunity the respondents have not filed any CA in the case and the learned counsel appearing for the respondents has not been able to tell whether the representation has been decided pursuant to the order of the Tribunal given vide order dated 04.11.2003. However, having regard to the main relief claimed in the O.A, we are of the view that it would meet ends of justice if the O.A is disposed of with direction to the Disciplinary Authority ^{to t} take the disciplinary proceeding to its logical end within a period of three months from the date of receipt of copy of this order provided the disciplinary proceedings have not already been taken to some conclusion.

2. Accordingly the O.A is disposed of in terms of above direction with no order as to costs.


Member-A.


Vice-Chairman.

/Anand/