

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 14TH DAY OF AUGUST, 2003

Original Application No.386 of 2003

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

Mangroo ram, a/a 61 years,
Son of Late Sukku Ram, R/o
villageGhatwapur, P.O.Chakia
District Chandauli(U.P.)

.. Applicant

(By Adv: Shri H.S.Srivastava)

Versus

1. Union of India through the Secretary, Ministry of Railways Rail Bhawan, New Delhi.
2. The General Manager, Northern Railway, Baroda House, New Delhi.
3. The Divisional Railway Manager Northern Railway, Hazratganj, Lucknow.
4. The Senior Divisional Manager (Operating), Northern Railway, Lucknow.

.. Respondents

(By Adv: Shri A.Tripathi)

O R D E R(Oral)

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

By this OA u/s 19 of A.T.Act 1985 applicant has challenged the memo of charge dated 30.1.02 by which disciplinary proceedings against the applicant has been proposed for committing misconduct. The charge against the applicant is that while serving as Station Superintendent during the period 12.12.01 to 30.1.02 he committed misconduct which resulted in loss of Rs 1,67,260/- to the Railways and thus he is liable to be proceeded under Rule 9 of Railway Servants (Discipline & Appeal) Rules, 1968.

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After hearing counsel for the applicant, I do not find any ground on which basis this memo of charge may be quashed. Counsel for the applicant has submitted that this memo of charge was served ^{age of} on the applicant on the date he attained superannuation. He has not been paid retiral benefits and he is suffering great difficulty.

Considering the facts and circumstances of the case, in my opinion, ends of justice will be served if respondents are directed to conclude the disciplinary proceedings against the applicant within a period of four months from the date a copy of this order is filed.

The OA is accordingly disposed of finally with the direction to respondent no.4, Senior Divisional Manager(Operating), Northern Railway, Hazratganj, Lucknow to conclude the disciplinary proceedings against the applicant within a period of four months from the date a copy of this order is filed. It is further provided that as the total liability of the applicant as shown in the charge, is Rs 1,67,260/-, the amount of gratuity payable to the applicant may be withheld and remaining amount may be released ^{as per rules} within a period of one month. There will be no order as to costs.

VICE CHAIRMAN

Dated: 14.8.03

Uv/