

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 22nd DAY OF MAY, 2003

Original Application No.554 of 2003

CORAM:

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Bhai Singh, S/o Late Hoti Yadav  
R/o village and post Rajpura  
district Badaun.

.. Applicant

(By Adv: Shri H.C.Shukla)

Versus

1. Union of India through  
General Manager(Railway)  
Baroda House, new Delhi.
2. Divisional Engineer(Third)  
Northern railway Division office,  
Moradabad.
3. Assistant Divisional Engineer  
Northern Railway, Chandausi
4. Ex-Section Engineer, A-1,  
Ansari Rajghat, Narara, Bulandshahar  
Northern Railway.

.. Respondents

(By Adv: Shri A.K.Gaur)

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 claimed multiple reliefs which cannot be entertained in this OA. After hearing counsel for the applicant we are of the opinion that the instant grievance of the applicant is that he is not being permitted to work on the post of gangman even after order dated 19.9.01. Learned counsel for the applicant has submitted that though in the order dated 19.9.01(Annexure 3) he was informed about his transfer to Gang no.1 but he was not allowed to join <sup>on the ground</sup> gang no.1 that his name does not appear in the gangsheet. It is also submitted that he is also not permitted to join in gang

no.5. It has also been submitted that the applicant has been served with the memo of charge dated 24.7.02. <sup>One of</sup> the charges <sup>against</sup> the applicant is about his unauthorised absence. <sup>But</sup> we do not find <sup>that</sup> any order of suspension <sup>has been</sup> passed against him. Considering the aforesaid facts and circumstances we dispose of this OA with the liberty to the applicant to approach respondent no.3, Assistant Divisional Engineer, Northern Railway Chandausi alongwith copy of this order. He shall make an application for joining which shall be considered by respondent no.3 and if there is no order of suspension/removal or dismissal of the applicant from service, he shall be allowed to join without any further delay. However, his joining shall be subject to result of the disciplinary proceedings initiated against the applicant <sup>on</sup> the basis of the memo of charge dated 24.7.02. There will be no order as to costs.

  
MEMBER(A)

  
VICE CHAIRMAN

Dated: 22nd May, 2003

Jv/