

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Dated: this the 10<sup>th</sup> day of JULY 2008

Original Application No. 643 of 2003.

Hon'ble Mr. A.K. Gaur, Member (J)  
Hon'ble Mr. K.S. Menon, Member (A)

Sheesh Pal Cam, S/o Shri Hari Chand, Assistant Electric Driver In Northern Railway, Tundla, R/o 129/3 Shiv Nagar, Tundla, Distt: Firozabad.

. . . Applicant

By Adv: Sri R.C. Srivastava and Sri Vipul Kumar

V E R S U S

1. General Manager, Northern Railway, Baroda House, New Delhi.
2. Division Railway Manager, North Central Railway, Allahabad.
3. Senior Divisional Personnel Officer, North Central Railway, Allahabad.
4. Divisional Electrical Engineer, North Central Railway, Allahabad.

. . . Respondents

By Adv: Sri S.K. Rai

O R D E R

By Mr. A.K. Gaur, Member (J)]

Heard Shri M. Ahmad brief holder of Shri R.C. Srivastava learned counsel for the applicant and Shri S.K. Rai learned counsel for the respondents.

2. During the course of arguments it was pointed out by Shri S.K. Rai that the Appellate Authority has considered the appeal of the applicant according to law and has passed the order. We have carefully

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perused paragraph No. 12 of the CA and find that the Appellate Authority has passed the following order:

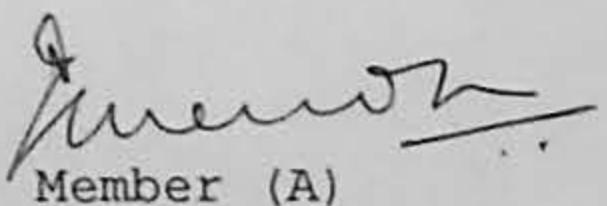
"I have gone through the case file and appeal carefully. Shri Sheesh Pal Cam, Assistant Electrical Driver was given full opportunity to attend the enquiry against him. He did not attend the enquiry even once to present his case remained un-authorizedly absent without intimation. He is guilty of charges.

There is no new fact in his appeal hence the appeal is rejected."

3. In our considered view the appellate order is cryptic, non-speaking, unreasoned and unwarranted. It is the duty of the Appellate Authority to consider each and every point in view of **Ram Chandra Vs. Union of India and others : AIR 1986 SC 1173.**

4. In view of the aforesaid decision we quash the *Corrigendum, 11.8.2020 u* appellate order dated ~~26.11.1999~~ and remit the matter back to the Competent Authority to consider and decide the appeal of the applicant in accordance with law within a period of 03 months from the date of receipt of a copy of this order.

5. With the aforesaid observation the OA is disposed of. No cost.



Member (A)



Member (J)

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