

OPEN COURT.

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD.

Original Application No.1085 of 2003.

Allahabad this the 16th day of September, 2003.

Hon^{ble} Mr. Justice R.R.K. Trivedi, V.C.

Hon^{ble} Mr. D.R. Tiwari, Member-A.

Triloki Nath (Gangman) Gang No.4,
Sarnath, Varanasi, aged about 31 years,
son of Sri Bansi Lal, Resident of
House No.5-3/11, C, Khajuri Gola,
Varanasi.

.....Applicant.

(By Advocate : Sri S.C. Kushawaha)

Versus.

1. Union of India
through the Northern Eastern
General Manager, Gorakhpur
Division, Gorakhpur.
2. Divisional Railway Manager,
N.E. Railway, Varanasi.
3. Senior District Engineer,
N.E. Railway, Office of the
Divisional Railway Manager,
Varanasi.
4. PW.1, N.E. Railway, Varanasi.
5. Assistant Divisional Engineer,
N.E. Railway, Varanasi.

.....Respondents.

(By Advocate : Sri K.P. Singh)

O_R_D_E_R

(Hon^{ble} Mr. Justice R.R.K. Trivedi, V.C.)

By this O.A., filed under section 19 of Administrative
Tribunals, Act 1985, the applicant has challenged the



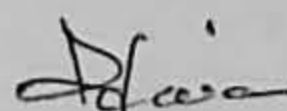
order dated 25.07.2003 by which he has been awarded punishment of reduction to lowest scale of pay for the period of 36 months with cumulative effect. Against the aforesaid order, admittedly the applicant has filed appeal on 08.8.2003 and it is pending before respondent No.3 namely Senior Divisional Engineer, North Eastern Railway, Varanasi. As the appeal of the applicant is still pending, the O.A. is not legally maintainable in view of the provision contained ⁱⁿ ~~under~~ section 20 of Administrative Tribunal Act 1985.

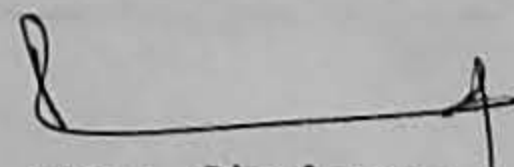
2. Learned counsel for the applicant, however, submitted that the decision in appeal shall take long time and as the applicant is a low paid employee, he shall suffer irreparable hardship in maintaining his family.

3. Considering this aspect, the O.A. is disposed of finally with the direction to the respondent No.3, Senior Divisional Engineer, North Eastern Railway, Varanasi, to consider and decide the appeal of the applicant within the period of three months from the date, a copy of order is filed.

4. Copy of the order shall be given to the learned counsel for the applicant within 3 days.

5. There shall be no order as to costs.


Member-A.


Vice-Chairman