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(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

ALLAHABAD this the 14th day of November, 2006.

ORIGINAL APPLICATION NO. 1142 OF 2006

HON'BLE MR. K. ELANGO, MEMBER- J.
HON'BLE MR. M. JAYARAMAN, MEMBER- A.

Badhu S/o Late Chokat Prasad,
R/o Vill. Pipra Najeer, Post- Salempur,
Distt. Deoria.Applicant.

VERUS

1. Union of India , through General Manager,
North East Railway, Gorakhpur .
2. Divisional Railway Manager, NER, Varanasi.
3. Divisional Mechanical Engineer (Power),
NER, Varanasi.
4. Assistant Mechanical Engineer (Power), Varanasi.
5. Section Engineer (Loco) NER, Mau.

.....Respondents

Counsel for the Applicant: Sri A. Vijai

Counsel for the Respondents: Sri Prashant Mathur

ORDER

BY HON'BLE MR. M. JAYARAMAN, AM.

Heard Sri Anant Vijai, learned counsel appearing for the applicant.

2. The main plea of the applicant is that he was working as Safaiwala since October, 1975 and due to some accident he suffered from mental disorders in November 1995 and so he report for duty only in November, 1997. Though all the medical certificates were duly furnished to the respondents, he was not allowed to join duty.

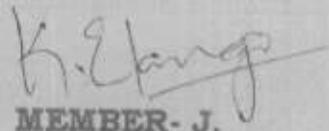


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Instead, disciplinary action was initiated against him and charge sheet was issued to him on 17.07.1997. After enquiring, by order ~~no.~~ dated 29th June 1999, his services were terminated. The applicant filed an appeal to the higher authorities in July 1999 and since then he has not been favoured with any reply.

3. We have considered the pleas taken by the applicant and we feel that in the circumstances of the case, a direction ~~may~~ be issued to the respondent No. 3 namely Divisional Mechanical Engineer (Power), N.E.R., Varanasi to consider and decide the appeal of the applicant by a reasoned and speaking order.
4. We accordingly dispose of the O.A with a direction to the respondent No. 3, Divisional Mechanical Engineer (Power), NER, Varanasi to consider the appeal filed by the applicant and pass a reasoned and speaking order within a period of 2 months from the date of receipt of this order. No costs.


MEMBER- A.


K. Varap
MEMBER- J.

/ANAND/