

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
(CIRCUIT SITTING AT NAINITAL)**

(THIS THE 26th DAY OF April 2010)

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

Hon'ble Mr. D.C. Lakha Member (A)

Original Application No.607 of 2006 (U)

(U/S 19, Administrative Tribunal Act, 1985)

Mohd. Ali Hussain, Aged about ---- years, S/o Late Shri Abdul Hakim, R/o Green Cottage, Tedhi Puliya, Behind Akash Restaurant, P.O Kath Godam, District- Nainital.

..... Applicant

Versus

1. Union of India through General Manager, N.E. Railway, Gorakhpur - 273 012.
2. The Chief Commercial Manager, N.E. Railway, Gorakhpur - 273012.
3. Divisional Railway Manager (Commercial), N.E. Railway, Izatnagar.
4. Senior Divisional Commercial Manager, N.E. Railway, Izatnagar.

..... Respondents

Present for Applicant: Shri Rakesh Verma

Present for Respondents: Shri K.P. Singh

ORDER

(DELIVERED BY HON'BLE MR. A.K. GAUR, J.M.)

Learned counsel for the applicant at the outset submitted that although the Revisional Authority has already reduced the punishment of removal from service to compulsory retirement but while passing the order dated 07.01/02.2005 (Annexure A-III of O.A), he has not at all considered the points raised by the applicant in his Revision Petition.

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2. Having heard learned counsel for both sides, without interfering with the order of compulsory retirement, we hereby direct the Revisional Authority to reconsider the matter afresh and pass appropriate reasoned and speaking order taking into account the points raised by the applicant in his Revision Petition dated 16.08.2004 within a period of three months from the date of receipt of certified copy of this order. While deciding the Revision Petition, it would be open to the competent authority to award even a lesser punishment to the applicant.

3. With the above direction the O.A stands disposed of.



Member-A


Member-J

/Anand/