

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD
BENCH ALLAHABAD**

(THIS THE 23rd DAY OF February, 2010)

***Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mrs. Manjulika Gautam Member (A)***

**Original Application No.368 of 2006
(U/S 19, Administrative Tribunal Act, 1985)**

Laxmi Kant Thakur Son of Late Singeshwar Thakur, R/o Quarter No.1256B, Manas Nagar, Railway Colony, Mughal Sarai, Chandauli.

..... *Applicant*

Present for Applicant : **Shri K.S. Rathore**
 Shri R. Singh

Versus

1. Union of India through General Manager East Central Railway, Hazipur, Bihar.
2. The Divisional Railway Manager, Varanasi.
3. The Asst. Electric Engineer/TRS/OP, Mughalsarai, Chandauli.
4. The Senior Divisional Electric Engineer (Operation), East Central Railway, Mughalsarai, Chandauli.
5. Smt. Vandana Singh W/o Sri Krishna Nrain Singh R/o Manas Nagar, Colony Mughal Sarai, Chandauli.

*Mughal Sarai. Conveyed to defendant
dated 11.11.10 and intimated
Ab 4097. J.M. Gaur
Mughalsarai 11.11.10*

..... *Respondents*

Present for Respondents : **None**

ORDER

(Delivered by Hon'ble Mr. A.K. Gaur, J.M.)

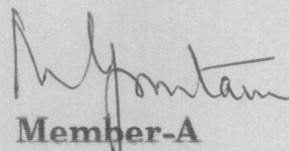
Heard learned counsel for the applicant and we are fully satisfied that no case is made out against the charge sheet. It is settled principle of law that the High Court or Tribunal cannot

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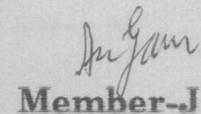
interfere with the departmental proceeding at interlocutory stage. The proper course of the applicant was to file the reply to the charge sheet and have contested the matter. The matter is pending since, 2004. No interim order has been granted in the matter.

2. In view of the aforesaid observation, O.A. is misconceived and liable to be dismissed as premature. If the disciplinary proceeding is not concluded as yet it would be open to the respondents to consider the objection of the applicant filed against the charge sheet and pass appropriate reasoned and speaking order. If, the matter is already concluded then no such consideration is required.

3. O.A. stands dismissed as misconceived. No costs.



Member-A



Member-J

Sushil