

(OPEN COURT)

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD

HON'BLE MR.A.K. GAUR, MEMBER (J).

Original Application Number. 68 OF 2007.

ALLAHABAD this the 03<sup>rd</sup> day of *December, 2008.*

Sri Narayan Kanaujia, S/o Sri Bahraichi Ram Commercial Clerk, North Eastern Railway, Ujhani District Badaun.

.....Applicant.

**VERSUS**

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. Divisional Railway Manager (Commercial), North Eastern Railway, Izzatnagar, Barailly.
3. Chief Commercial Manager, North Eastern Railway, Gorakhpur, District Gorakhpur.
4. Smt. Indu Dubey the then Senior Divisional commercial Manager, North Eastern Railway, Barailly. (Presently posted as Sr. Divisional Commercial Manager North Eastern Railway, Lucknow.)

.....Respondents

Advocate for the applicant: Sri Vinod Kumar

Advocate for the Respondents: Sri K.P. Singh

**ORDER**

The learned counsel for the applicant at out set has submitted that the appellate order as well as order on Revision Petition both are cryptic and non-speaking.

2. Having heard learned counsel for the parties and carefully perused the orders passed by Revisional Authority and Appellate Authority, *prima facie*, I find that the orders passed by both the authorities are non-speaking and has been passed in a most casual and perfunctory manner as it has not been decided in accordance with the decision of Hon'ble

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(12)

Supreme Court in the case of **Ram Chandra** 1986 SCC (L&S) 383 and **Narendra Mohan Arya Vs. United Insurance Company** 2006 SCC (L&S) 840 as well as in accordance with rule 27 of CCS (CCA) Rules.

3. Accordingly I set aside the orders passed by the Revisional Authority as well as the Appellate Authority and the matter is remitted back to the Reviewing Authority to consider and decide the matter afresh. The applicant is directed to file a certified copy of this order alongwith complete copy of the O.A (with all annexures) and additional comprehensive Revision Petition/representation, if so advised, within two weeks from today before the concerned Reviewing Authority and the said authority shall consider and decide the same afresh by a reasoned and speaking order meeting all the contentions raised by the applicant in his earlier Revision Petition as well as in additional Revision Petition/representation, within a period of three months on receipt of certified copy of the order, as contemplated above, in accordance with law and relevant rules on the subject (as referred above) and communicate the decision to the applicant forthwith.

4. With the aforesaid directions, the O.A is disposed of finally with no order as to costs.

Be noted that I have not passed any order on merits of the case.

*Anand*  
MEMBER- J.

/Anand/