

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.**

ORIGINAL APPLICATION NO. 316 OF 2007.

ALLAHABAD THIS THE 2ND DAY OF APRIL 2007.

Hon'ble Mr. Justice Khem Karan, V.C
Hon'ble Mr. P.K. Chatterji, A.M

Suresh Chandra Tiwari aged about 53 years, son of Sri Someshwar Nath Tiwari, resident of Village Narainpur, Post Basahai, Tehsil Karchana, District Allahabad.

.....Applicant

(By Advocate: Sri Satish Dwivedi)

VERSUS.

1. Union of India through the General Manager, North Central Railway, Allahabad.
2. The Divisional Railway Manager, Allahabad Division, North Central Railway, Allahabad.
3. The Divisional Superintending Engineer (I), North Central Railway, Allahabad.
4. The Assistant Divisional Engineer, North Central Railway, Chunar.

.....Respondents

ORDER

Heard Sri S. Dwivedi, learned counsel for the applicant on admission of this original application.

2. Earlier the applicant was subjected to formal disciplinary proceedings and as a result thereof was punished. He challenged the punishment order by way of filing O.A. No.930/95, which this Tribunal disposed of vide order dated 19.7.2000 (Copy has been annexed as Annexure 3) remitted back the matter to the Disciplinary Authority ^{for enquiry} ~~from the Enquiry Officer~~ afresh, from the stage of chargesheet. It appears that the matter remained ^{at} ~~on~~ that till 2004 when the applicant was asked for and he submitted defence note. Though we do not want to make any observation as regards the action or inaction for all these 4 years right from 2000 to 2004 but since the matter is still pending before the Authority and since the applicant has come only for getting the

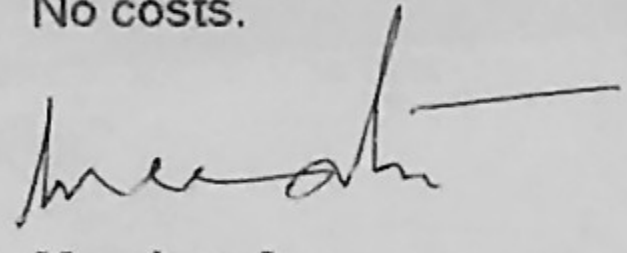
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2.

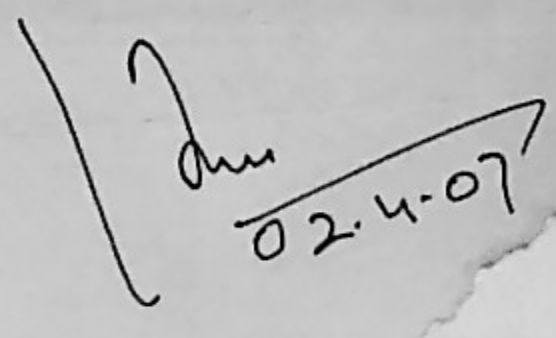
matter expedited so it seems just and proper to dispose of the ^{O.A. &} material at this stage asking the Disciplinary Authority and Enquiry Authority to bring the proceedings to a logical conclusion at the earliest possible. In so far as the claim for arrear of salary, pecuniary benefits etc. are concerned, the applicant has given a representation, copy of which is Annexures 14 and 15. It is for the authority concerned to look into the same and pass suitable orders in accordance with the Rules/Instructions on the subject.

3. So the O.A. is finally disposed of with a direction to the respondent NO.4 to ensure that the pending Disciplinary Proceedings against the applicant ^{are} concluded and brought to logical conclusion within a period of six months from the date ^a of certified copy of this order is produced before him and he is further directed to pass suitable orders on the representation (copy of which is Annexures 14 and 15) of the applicant in the light of the relevant Rules/orders on the subject, within a period of two months from the date ^a of certified copy of this order together with ^{copy of} O.A. is produced before him

No costs.



Member-A



02.4.07

Vice-Chairman.

Manish/-