

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD**

ORIGINAL APPLICATION NO.518 of 2007

Allahabad, this the 24th day of April 2009.

Hon'ble Mr. A.K. Gaur, Member-J

Bhaiya Lal, aged about 52 years, Son of Late Lakkhee Resident of H.No.5 Heerapura Nagar, Jhansi.

...Applicant.

(By Advocate: Shri R. Verma

Versus

1. Union of India through General Manager, North Central Railway, Nawab Yusuf Road, Allahabad.
2. The Deputy Chief Mechanical Engineer Production & Planning (P&P), Office of the Chief Works Manager, North Central Railway, Jhansi.
3. The Works Manager (P), Workshop, Office of the Chief Works Manager, North Central Railway, Jhansi.

...Respondents.

By Advocate : Shri Ravi Ranjan

O R D E R

I have heard Shri R. Verma, learned counsel for the applicant and Shri Ravi Ranjan, learned counsel for the respondents.

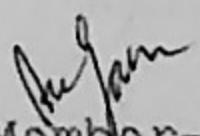
2. Learned counsel for the applicant at the very outset submitted that the order passed by Appellate Authority and Disciplinary Authority is cryptic, non-speaking and without application of mind.

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3. Having heard the parties counsel at length. I am satisfied that the order passed by Appellate Authority and Disciplinary Authority is cryptic, non speaking and the same has not been passed in accordance with the provision of law. In view of the decision of the Hon'ble Supreme Court in the case of AIR 1986 SC 1173 : Ram Chand Vs. U.O.I. and others, 2006 (11) SCC 147 : Director IOC Vs. Santosh Kumar, JT 1994 (1) SC 597 : National Fertilizer Vs. P.K. Khanna and 2006 SCC (L&S) 840 : N.M. Arya Vs. United Insurance Co. the order passed by the Appellate Authority is unreasoned, non speaking and cryptic. Accordingly, the order dated 29.10.2006 and 19.3.2007 are quashed and set aside and the matter is remitted back to the competent authority for reconsideration of the case of the applicant and pass appropriate reasoned and speaking order within a period of three months from the date of receipt of copy of this order.

4. With the above direction, the OA stands disposed of.
No costs.

RKM/


Member-J