



FORM No. - 4

See Rule (12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH

ORDER SHEET

Original

Application No. 12 of 200 4

Applicant (s) Guru Charan Mahananda Respondent (s) U.O.I

Advocate for Applicant (s) M/s. R. K. Sahoo Advocate for Respondent(s)

N. K. Prakash
Rajashree Bahal

NOTES OF THE REGISTRY

9.P.O. for Rs. 50/- filed.
For consideration pl.
Defects have been pointed
out in Scrutiny sheet.

Ach
9/1/04

S.O. (J)

DR
9/1/04

DR

09.01.04

Registar

Please note in
defects

DR

DR
9/1/04

ORDERS OF THE TRIBUNAL

REGISTER

DR 27/1/04
Registar

1. ORDER DATED 27-01-2004.

Heard Ms. Rajashree Bahal, Learned
Counsel appearing for the Applicant and
Mr. R.C. Rath, learned Standing Counsel for
the Railways; on whom a copy of this O.A.
has already been served.

Applicant, a senior goods guard
of Jhasuguda under the South Eastern Railway,
having faced removal from service in a
disciplinary proceedings, preferred an appeal

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Defects removed.
for Registration Pl.

22/1/04

S.O.(J)

DVR
22/1/04

Ragr.
22/1/04

for Admission Pl.

23-1-04

Beach.

On. Dr. 27.01.04

Copies of order
alongwith copies of
Ans to all reprets
and copies of said
order prepared for
counsel for both
sides.

27/01/04

SD

and the said appeal having been dismissed under Annexure-A/8, dated 9.4.03, the Applicant preferred a representation to the Additional Divisional Railway Manager of Chandrasekharpur for review/reconsideration under Annexure-A/10 and again filed a Mercy petition under Annexure-A/11 to the Divl Railway Manager. By his order under Annex-A/12, dated 4.8.03 the Senior Divisional Operating Manager of Chandrasekharpur had intimated the Applicant to prefer a revision to COM/GRC. It appears, without preferring any revision, the Applicant has filed the present Original Application, under section 19 of the Administrative Tribunals Act, 1985.

In a case of present nature, the competent authorities can redress the grievance of the Applicant by examining the merits of the matter and, therefore, should prefer the revision, as advised under Annexure-A/12 dated 4.8.03 to the COM/GRC for redressal of his grievances. Having heard learned counsel for both sides and having given due consideration to the materials placed on record, we hereby give liberty to the Applicant to prefer a well-constituted revision petition and if such a revision petition is filed by 15.02.2004, then the revisional authority should call for the records and examine the matter on merits/within a period of four months from the date of receipt of such petition.

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O.A. No. 12/2004

Contd... Order No. 1, dated 27.01.2004.

With the aforesaid observations and directions,
this Original Application is disposed of at the admission
stage. No costs.

Send copies of this order alongwith copies of
the O.A. to the Respondents and free copies of this
order be given to learned counsel for both sides.

(N.D.DAYAL)
MEMBER(ADMN.)

(MANORANJAN MOHANTY)
MEMBER(JUDL.)

Yr 27/01/04
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