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O.A. No. 38 of 2005

Order dated: 02.01.2008

CORAM:

Hon'ble Shri D.K.Sahu, Member (J)

Hon'ble Shri C.R.Mohapatra, Member (A)

None appears for the Applicant. Ld. Counsel for the Respondent Railways is present. Heard him. Perused the application and documents annexed thereto.

2. The applicant has challenged the disciplinary proceedings so also penalty of dismissal imposed on him and confirmed by the appellate authority.


3. The Counter reveals that he has filed a revision application before the concerned authority and the said authority (General Manager in the order at Annexure-R/1 had already modified the order of dismissal. It is submitted by the Counsel for the Respondents that the applicant has also filed an O.A. challenging the order of revisional authority so also enquiry proceeding. As the order of dismissal passed by the disciplinary authority and confirmed by the appellate authority no more stand being modified by the revisional authority, this application does ^{not} stand, in as much as the applicant has already filed another application challenging the order of revisional authority which is pending consideration. This being the case, this application is

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dismissed as not sustainable. O.A. is thus disposed of. No
order as to costs.


MEMBER (A)


MEMBER (J)