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O.A. No.410 of 2008

ORDER DATED 31<sup>st</sup> OCTOBER, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)

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

Heard Mr. D.P. Dhalsamant, Ld. Counsel for the applicant and Mr. S.K. Ojha, Ld. Standing Counsel for the Railways.

2. Admittedly an appeal is pending against the punishment order passed by the disciplinary authority and for that reason this O.A cannot be admitted at this stage. However, based on Annexure-A/5 dt. 31.05.03 it is alleged in the O.A that the appellate authority i.e. the Divisional Engineer (South), East Coast Railway, Khurda Road, has not disposed of the appeal. If it is so it is proper for this Tribunal to direct Respondent No.4 to dispose of Annexure-A/5, appeal of applicant within a period of one month if not already disposed of hitherto. With the above direction this O.A. stands disposed of.

3. It is made clear that this order will be without prejudice to the applicant to approach this Tribunal if he is aggrieved by the order of the appellate authority.

4. Copy of the order along with copy of this O.A shall be sent to Respondent No.4 by this Tribunal and copy of this order be given to Mr. S.K. Ojha, Ld. Standing Counsel for the Railways for compliance.

  
Member(A)

  
MEMBER (J)