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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 507 OF 2010
CUTTACK, THIS THE 16th DAY OF September, 2010

Swarup Kumar Ray Applicant

Vs.

Union of India & Ors Respondents

FOR INSTRUCTIONS

1. Whether it be referred to the Reporters or not ? *no*
2. Whether it be circulated to all the Benches of the Central Administrative Tribunal or not ? *no*


(C.R.MOHAPATRA)
MEMBER (ADMN.)


(M.R.MOHANTY)
VICE-CHAIRMAN

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CENTRAL ADMINISTRATIVE TRIBUNAL CUTTACK BENCH, CUTTACK

ORIGINAL APPLICATION NO. 507 OF 2010
CUTTACK, THIS THE 16th DAY OF September, 2010

CORAM :

HON'BLE MR. M.R.MOHANTY, VICE-CHAIRMAN
HON'BLE MR. C.R.MOHAPATRA, MEMBER(ADMN.)

Swarup Kumar Ray, aged about 50 years, S/o. Anil Kumar Ray, At-Kuansarapur, PO. Devidwar, District- Jajpur at present working as JE/II (P.Way) JET under ADEN/South/Kharagapur.

...Applicant

By the Advocates – Mr. B.B.Mohanty.

-Versus-

1. Union of India, represented through the General Manager, South Eastern Railway, Garden Reach, Kolkatta-43, West Bengal.
2. Divisional Railway Manager, (Engineer), South Eastern Railway, Kharagpur, AT/PO//Dist- Kharagapur, Kolkata, West Bengal.
3. Sr. Divisional Engineer (South), South Eastern Railway, Kharagpur Division, At/PO. Kharagpur, West Bengal.
4. Asst. Divisional Engineer, Balasore, At/PO/Dist-Balasore

...Respondents

By the Advocates - Mr. S.K.Ojha.

.....
S.K.Ojha

ORDER

HON'BLE MR. M.R.MOHANTY, VICE-CHAIRMAN:

Heard Mr. B.B.Mohanty, Ld. Counsel for the Applicant and Mr. S.K.Ojha, Ld. Standing Counsel appearing for the Railways (to whom a copy of this O.A. has already been supplied) and perused the materials placed on record.

2. Applicant faced a minor penalty on 02.03.2010 and preferred an appeal on 15.06.2010. By way of filing the present O.A. (on 20.08.2010) under Section 19 of the Administrative Tribunals Act, 1985, the Applicant has prayed as under:

“.....this Hon'ble Tribunal may be graciously pleased to quash the order of punishment dated 02.03.2010 vide Annexure-A/4

And further be pleased to direct the Respondents to exonerate the Applicant from the charges and to grant all financial consequential service benefits to the Applicant.

Or necessary order/orders, direction/directions be issued so as to give complete relief to the Applicant.

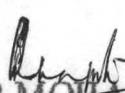
3. Since, this is the positive case of the Applicant that his appeal dated 15.06.2010 is still pending undisposed with the

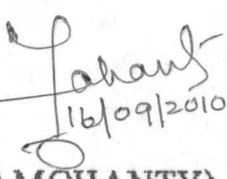
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Appellate Authority, without any waste of time, this case is hereby disposed of by remitting the matter to the Respondents (especially to the Appellate Authority) with direction to consider the grievances of the Applicant(as raised in his appeal and in the present O.A.)and pass a reasoned order,within 60 days of receipt of copy of this order, under intimation to the Applicant.

4. Send copies of this order to the Respondents (together with the copies of this O.A.) by Registered/Speed Post, at the cost of the Applicant. Mr. B.B.Mohanty, Ld. Counsel appearing for the Applicant undertakes to deposit required postages for communication of this order and copies of the O.A. to the Respondents.

5. Free copies of this order be supplied to the Ld. Counsel appearing for the parties.


(C.R.MOHAPATRA)
MEMBER (ADMN.)


16/09/2010
(M.R.MOHANTY)
VICE-CHAIRMAN