

ORDER DATED 14.7.2009

Challenging the punishment of stoppage of increment imposed by the Disciplinary Authority as per Annexure-A/5 dated 21.8.2008 the applicant has filed this Original Application for quashing the said punishment and at the same time, as an interim measure, he has prayed for either stay of the operation of the punishment or to direct the Appellate Authority to dispose of the appeal.

Heard Shri A.Das, learned counsel for the applicant. Having regard to the facts and circumstances of the case and the nature of relief sought, we are not inclined to admit this O.A. inasmuch as the appeal filed by the applicant is still pending with the Appellate Authority, which in our considered view, is the whole object of filing this O.A. In the fitness of things, we direct the Appellate Authority, i.e., Additional Divisional Railway Manager, East Coast Railway (Respondent No.2) to dispose of the appeal ~~as soon as possible~~ filed by the applicant as expeditiously as possible, at any rate, within a period of thirty (30) days from the date of receipt of this order.

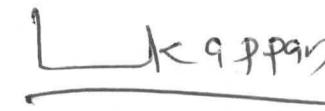
We are apprised that the punishment awarded by the Disciplinary Authority has not yet been implemented. The Appellate Authority, until

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disposal of the appeal within the time stipulated above, shall take this fact into consideration. The applicant, if so advised, may also make a prayer to the Appellate Authority for staying the punishment order till his appeal, as directed above, is disposed of.

With the above direction, this O.A. is disposed of at the stage of admission. No costs.

Applicant to furnish a copy of this order to Respondent No.2 for compliance.

  
(C.R.MOHAPATRA)  
ADMINISTRATIVE MEMBER

  
(K.THANKAPPAN)  
JUDICIAL MEMBER