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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No.260/00223 of 2015
Cuttack, this the 1st day of May, 2015

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HON'BLE MR. A.K. PATNAIK, MEMBER (J)

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Krishna Chandra Biswas,
Aged about 37 years,
Son of Sri Dhirendranath Biswas,
Permanent resident of Bagula College Pada,
PO- Nadia, PS Haskhali, Dist- Nadia,
At present working as Train Ticket Inspector,
In East Coast Railway being posted at Puri,
PO/Dist- Puri (Odisha).

.....Applicant

Advocate(s)... M/s. R.B.Mohapatra, D.K.Mohanty, S. Debata.

VERSUS

1. Union of India(Railway) represented by General Manager,
East Coast Railway, At- Rail Bhawan,
Chandrasekharpur, Bhubaneswar-751017,
Dist-Khurda.
2. Sr. Divisional Commercial Manager,
East Coast Railway-cum-Disciplinary Authority,
Khurda Road, At/PO- Jatni, Dist-Khurda.
3. General Manager-cum-Revisional Authority
East Coast Railway, At- Rail Bhawan,
Chandrasekharpur, Bhubaneswar-751017,
Dist-Khurda.
4. N. Padhi, Inquiry Officer-cum-Deputy Chief Vigilance Officer (Traffic)
O/o the General Manager,
East Coast Railway, Rail Bhawan,
Bhubaneswar-751017, Dist-Khurda.
5. Chairman,
Railway Board, At- Room No. 256-A, Rail Bhawan,
Raisana Road, New Delhi- 110001.

..... Respondents

Advocate(s)..... Mr. T. Rath

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O R D E R (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. R.B.Mohapatra, Learned Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. The applicant by filing this present O.A. under Section 19 of the Administrative Tribunals Act, 1985, has prayed for quashing of Annexure-A/10 dated 27.02.2015 passed by the Revisional Authority enhancing the punishment awarded by the Disciplinary Authority to the punishment of "Removal" from service. He has further prayed for a direction to the Respondents to reinstate him to his original post as on 27.02.2015 and to extend all consequential service and financial benefits as due and admissible. Mr. Mohapatra, Ld. Counsel for the applicant, submitted that as per the order of the Revisional Authority, the applicant has preferred an appeal as at Annexure-A/11 before the Chairman, Railway Board, i.e. Respondent No. 5 on 18.03.2015 but till date no response has been received by the applicant.


3. Taking into account the submission made by Mr. Mohapatra, Ld. Counsel for the applicant, that the appeal preferred by the applicant is still pending consideration, without expressing any opinion on the merit of the case, I dispose of this O.A. at this admission stage by directing Respondent No. 5 to consider and dispose of the appeal as at Annexure-A/11, if the same has been filed and is still pending consideration, in a well reasoned order and communicate the same to the applicant within a period of three months from the date of receipt of a copy of this order. Although, I am not inclined to stay the impugned order dated 27.02.2015 at this stage, it is further made clear that till the appeal is considered and result communicated to the applicant, status quo in respect of the continuance of the

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applicant will be maintained. However, if in the meantime the said representation has already been disposed of then the result thereof be communicated to the applicant within a period of two weeks from the date of receipt of a copy of this order.

4. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

5. On the prayer made by Mr. Mohapatra, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent No. 5 by Speed Post for which he undertakes to file the postal requisites by 06.05.2015.


(A.K.PATNAIK)
MEMBER(Judl.)