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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO. 260/00390 OF 2015
Cuttack, this the 13th day of July, 2015

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)

Rabindranath Behera,
aged about 59 years,
S/o- Late Gandharb Behera,
At- Sangrampur,
P.O-Uttarkul, Via-Tyandkura,
District-Cuttack.

At present working as Senior Section Engineer (Telcom)),
Under the Dy. Chief Signal and Telecommunication
Engineer (Construction),
East Coast Railway, Bhubaneswar,
At-Railway Quarter No.C/63/F,
Rail Vihar, Chandra Sekharpur,
Bhubaneswar, Dist.-Khurda.

...Applicant

Advocate(s)-M/s- P.K. Mohapatra

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway, Rail Vihar,
Chandrasekharpur, Bhubaneswar,
Dist.-Khurda.
2. Chief Signal and Telecommunication Engineer (Construction),
East Coast Railway, Rail Vihar,
Chandrasekharpur, Bhubaneswar,
Dist.-Khurda.



3. Dy. Chief Signal and Telecommunication Engineer (Construction),
East Coast Railway, Rail Vihar,
Chandrasekharpur, Bhubaneswar,
Dist.-Khurda.

... Respondents

Advocate(s)-Mr. T. Rath

ORDER (Oral)

R.C. MISRA, MEMBER (A)

Heard Mr.P.K.Mohapatra, learned counsel for the applicant and Mr.T.Rath, learned Standing Counsel for the Respondent-Railways on the question of admission.

2. Mr.Mohapatra submitted that while working as Senior Section Engineer (C) in the Railways, applicant was issued with a Memorandum of Charge under Rule-11 of RS(D&A) Rules, 1968. The charge related to deposit of income tax of the applicant. Even though the proceeding which was initiated for imposition of minor penalty, the disciplinary authority imposed on the applicant a major penalty, i.e., withholding of increments for two years from July, 2014 with cumulative effect by an order dated 3.12.2013. Challenging this order, applicant preferred an appeal dated 10.7.2014 to the Chief Signal & Telecommunication Engineer (Con.), E.Co. Railways, Bhubaneswar (Res.No.2) who is the appellate authority in this case. According to applicant, even after lapse of one year also this appeal is still pending with the appellate authority without being disposed of.



3. It is the duty of the appellate authority to dispose of the statutory appeal as expeditiously as possible. Delay in disposal of appeal by the concerned authorities is not proper.

4. In view of the above, without entering into the merits of the matter, I direct Respondent No.2 to dispose of the pending ^{appeal} and communicate the result thereof to the applicant in a reasoned and speaking order ^{appeal} within a period of thirty days from the date of receipt of this order.

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

6. On the prayer made by learned counsel for the applicant send copy of this order along with paper book of O.A. to Respondent No.2 for which Mr.Mohapatra undertakes to file the postal requisites by 14.7.2015.

Free copy of this order be made over to learned counsel for both the sides.



(R.C.MISRA)
MEMBER(A)

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