

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. No. 260/00625 OF 2016
Cuttack, this the 19th day of September, 2016

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

.....
Madan Mohan Parida, aged about 36 years, Son of Pramod Kumar Parida, at present working as TTI/BBSR, under East Coast Railway, Khurda Road, District-Khurda.

.....Applicant

By the Advocate(s)-M/s. S.B. Jena, S. Behera

-Versus-

Union of India, represented through

1. General Manager, East Coast Railway, At- Rail Vihar, PO.- Chandrasekharpur, Bhubaneswar, District-Khurda.
2. Senior Divisional Commercial Manager, East Coast Railway, Khurda Road, At/PO.Jatni, District-Khurda.
3. Divisional Commercial Manager, East Coast Railway, Khurda Road, At/PO.Jatni, District-Khurda.
4. Assistant Commercial Manager, East Coast Railway, Khurda Road, At/PO.Jatni, District-Khurda.

.....Respondents

By the Advocate(s)- Mr. T. Rath

O R D E R(Oral)

R.C. MISRA, MEMBER (A):

Heard Sri S. Behera, Ld. Counsel appearing for the Applicant and Sri T. Rath, Ld. Standing Counsel appearing for the Respondents-Railways, on whom a copy of this O.A. has already been served and perused the materials placed on record.

2. The applicant who is working as TTI/BBSR, under East Coast Railway has filed this O.A. challenging the order of punishment dated 11.09.2015 passed by the Respondent No.4 by which his annual increment has been stopped for a period of six months without postponing future increments of pay and also challenging the order of the Appellate Authority dated 14.01.2016 whereby the stoppage of one annual increment has been reduced to three months without postponing future increments of pay. Sri Behera has also submitted that for one incident the applicant has been punished twice in two departmental proceeding one is 10/14 and the other one is 34/15. Sri Behera further submitted that being aggrieved by the order of the Appellate Authority dated 14.01.2016

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the applicant has also filed a Revision Petition dated 05.03.2016 (Annexure-A/7) before the Respondent No.2 which is pending consideration.

3. Although Sri Behera has prayed for admission of this case, I am of the opinion that when a Revision Petition has been filed, at this stage it is premature to issue notice in this O.A. Accordingly, without going into the merit of this case I dispose of this O.A. with a direction to Respondent No.2 to consider and dispose of the Revision Petition dated 05.03.2016 (Annexure-A/7) expeditiously after taking into account all the points raised by the applicant in it, if the same is pending at his level with a reasoned and speaking order to be communicated to the applicant within three months from the date of receipt of this order. It is further directed if, after such consideration it is found that the applicant is entitled to the relief claimed by him then the same be extended to him within a further period of 03 (three) months from such consideration.

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

5. On the prayer made by Sri S. Behera, Ld. Counsel appearing for the Applicant, copy of this order, along with paper book, be sent to Respondent No.2 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 21.09.2016.

6. Free copy of this order be made over to Ld. Counsel appearing for both the sides.


(R.C.MISRA)
MEMBER(A)