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O.A. No. 54 of 2012

Arakhit Ch. Pal..... Applicant
Vs
Union of India & Ors..... Respondents

Order dated: 25.01.2012

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (Admn.)
&
Hon'ble Shri A. K. Patnaik, Member(Judl.)

Heard Mr. Sanjib Mohanty, Ld. Counsel for the applicant and Mr. S.K.Ojha, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served.

2. Pursuant to the order of this Tribunal dated 24.01.2012, Ld. Counsel for the applicant has filed today M.A. No. 71/12 seeking amendment of the O.A. to bring on record the matter regarding filing of appeal (Annexure-3) dated 17.01.2012. M.A. is allowed. Appeal under Annexure-3 dated 17.01.2012 is taken on record.

3. By filing the present O.A., the applicant has made following prayers:

".....order of removal passed against the applicant vide Annexure-2 dated 09.01.2012 be quashed and the applicant be reinstated in the service with full

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back wages along with all financial and consequential benefit."

4. Since the applicant has already preferred an appeal before Respondent No. 5 vide Annexure-3 only on 17.01.2012 and the same is stated to be pending disposal, we, at this stage, without entering into the merit of the case, deem it proper to send the case before the competent authority to take a decision first on the pending appeal. As agreed to by the Ld. Counsel for the parties, we direct Respondent No. 5 to consider and dispose of the pending appeal and pass a reasoned order within 30 days from today.

5. With the above observation and direction, the O.A. stands disposed of.

6. Free copies of this order be handed over to the Ld. Counsel for the parties.

T. Alles
MEMBER(Judl.)

Ch. K. Ch. K.
MEMBER(Admn.)