

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH, CUTTACK**

**ORIGINAL APPLICATION NO. 1018 OF 2012**  
**CUTTACK, THIS THE 7<sup>th</sup> DAY OF JANUARY, 2012**

**CORAM  
HON'BLE MR. A.K. PATNAIK, MEMBER (JUDL.)**

Sri Asita Kumar Nayak,  
Aged about 52 years,  
S/o. Late Sridhar Nayak,  
At/PO/PS- G. Udayagiri,  
Dist. Kandhamal,  
At present residing  
At-Majhi Sahi, Jobra,  
PO- College Square,  
P.S. Malgodown, Dist: Cuttack.

.....Applicant

Advocate(s) ..... M/s. S.Das, A.K.Choudhury, A.K.Panda.

**VERSUS**

Union of India represented through

1. The General Manager,  
East Coast Railway, Chandrasekharpur,  
Bhubaneswar, Dist-Khurda.
2. Divisional Railway Manager,  
East Coast Railway,  
Khurda Road Division,  
At/PO/PS-Jatni, Dist-Khurda.
3. Additional Divisional Railway Manager& Appellate Authority,  
East Coast Railway,  
Khurda Road Division,  
At/PO-Jatni, Dist-Khurda.
4. Senior Divisional Signal Telecom Engineer,  
East Coast Railway,  
Khurda Road Division,  
At/PO-Jatni, Dist-Khurda.

..... Respondents

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

**O R D E R (ORAL)**

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

Heard Mr. S. Das, Ld. Counsel for the applicant, and Mr. T. Rath, Ld. Standing Counsel appearing on behalf of the Railways, on whom

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a copy of this O.A. has already been served.

2. Mr. Das, Ld. Counsel for the applicant, submitted that against the order of dismissal and punishment notice dated 31.07/01.08.2012, applicant has already made an appeal to the appellate authority, i.e. Additional Divisional Railway Manager, East Coast Railway, Khurda Road Division (Respondent No.3) on 30.08.2012, which has not yet invoked any response from the appellate authority.

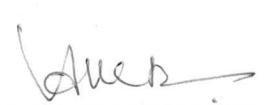
3. Mr. Rath, Ld. Standing Counsel, fairly submitted that if the appeal has not been decided till date then the same will be decided by the appellate authority within two months.

4. Taking into consideration the submission made by Mr. Rath, Ld. Standing Counsel, and as agreed to by Mr. Das, Ld. Counsel for the applicant, I dispose of this O.A. at the stage of admission itself with direction to Additional Divisional Railway Manager, East Coast Railway, Khurda Road Division (Respondent No.3) & Appellate Authority to consider the appeal on merit,, if the same is still pending, and pass reasoned and speaking order and communicate the result thereof to the applicant, within a period of two months from the date of communication of this order.

Ordered accordingly.

5. As prayed for by Mr. Das, Ld. Counsel for the applicant, copy of this order along with paper book be sent to Respondent No. 3 at the cost of the applicant for which he will file requisites by 11.01.2013.

6. With the aforesaid order and direction, the O.A. stands disposed of at the stage of admission itself.

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

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