

CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK

O. A. NO.114 OF 2013
Cuttack the 8th day of March, 2013

CORAM

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

Ashok Kumar Pradhan,
aged about 43 years,
S/o. Akshaya Kumar Pradhan,
presently working as Senior Section Engineer,
Electrical (TRS), Angul, At/PO/Dist-Angul,
R/Vill?PO/PS-Telkot,
Dist-Keonjhar.

(Advocates: Ms. S. Mohapatra)

...Applicant

VERSUS

Union of India Represented through

1. Divisional Manager,
East Coast Railway,
Khurda Division,
At/PO-Khurda, Odisha.
2. Additional Divisional Railway Manager,
East Coast Railway,
Khurda Road,
District-Khurda, Odisha.
3. Senior DEE (TRS),
Electric Loco Shed,
East Coast Railway, Angul,
At/P.O/District-Angul, Odisha.
4. Satish Kumar, Senior DEE/TRS/Angul,
At/P.O/District-Angul, Odisha.
5. General Manager,
East Coast Railway,
Chandrasekharpur, Bhubaneswar,
Dist-Khurda, Odisha.

... Respondents

(Advocate: Mr. T. Rath)

ORDER(Oral)

SHRI A.K.PATNAIK, MEMBER(J)

Heard Ms.S.Mohapatra, learned counsel for the applicant and Shri T.Rath, learned Standing Counsel, on whom a copy of this O.A. has been served appearing on behalf of the Railways.

[Signature]

[Signature]

2. By filing this O.A., applicant has prayed for direction to change Respondent No.4 as the Disciplinary Authority and to quash the charge sheet dated 7.9.2011 vide Annexure-A/6 and/or all action taken by the Respondent No.4 against the applicant.

3. However, we find that in order to change Respondent No.4 as the Disciplinary Authority, the applicant has already made an appeal dated 29.1.2013 addressed to the Addl.Divisional Railway Manager, East Coast Railway (Respondent No.2) which is said to be pending consideration.

4. In view of this, we direct Respondent No.2 to consider and dispose of the appeal dated 29.1.2013, if it has not yet been disposed of, through a reasoned and speaking order and communicate the decision thereon to the applicant within a period of four weeks from the date of receipt of this order.

5. Till such time, further action in pursuance of charge sheet issued to the applicant will remain stayed.

6. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

7. Send a copy of this order along with paper book to Respondent No.2 for which Ms.Mohapatra undertakes to file the postal requisites by 11.3.2013. Free copies of this order be made over to the learned counsel for both the sides.

(R.C.MISRA)
MEMBER(A)

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Allee
(A.K.PATNAIK)
MEMBER(J)