

**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O. A. NO. 260/00 771 OF 2014

Cuttack this the 10th day of November, 2014

CORAM

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

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Chittaranjan Mishra,
aged about 62 years,
Son of Sashadhar Mishra,
At- Erein, PO.- Charampa, Dist- Bhadrak,
Retired as Headmaster,
Mixed Primary School, Old Settlement,
South Eastern Railway, Kharagpur.

...Applicant

(Advocates: M/s. P.K.Rath, R.N.Parija, A.K.Rout, S. Pattnaik, P.K.Sahoo, A. Behera)

VERSUS

Union of India Represented through

1. Secretary,
Railway Board, Ministry of Railways,
Rail Bhawan, New Delhi-110001.
2. General Manager,
G.M.Building, South Eastern Railway,
Garden Reach, Kolkotta- 700043.
3. Chief Personal Officer,
G.M.Building, South Eastern Railway,
Garden Reach, Kolkotta- 700043.
4. Divisional Railway Manager,
DRM Building, South Eastern Railway,
Kharagpur- 721301.
5. Senior Divisional Personal Officer,
DRM Building, South Eastern Railway,
Kharagpur- 721301.
6. Divisional Personal Officer,
DRM Building, South Eastern Railway,
Kharagpur- 721301.

.... Respondents

(Advocate: Mr. T. Rath)

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Allee

ORDER (ORAL)

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

Heard Mr. R.N.Parija, Learned Counsel for the applicant, and Mr. T. Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. Applicant, who while working as Headmaster of Mixed Primary School, Old Settlement, South Eastern Railway, Kharagpur, retired on 30.09.2012 on superannuation, has filed this O.A. under Section 19 of the Administrative Tribunals Act, 1985 for a direction to the Respondents to dispose of the Disciplinary Proceeding initiated against him under Annexure-A/4 dated 27.09.2012. Mr. Parija, Ld. Counsel for the applicant, submitted that till date the disciplinary proceeding initiated against the applicant has not been finalized for which the applicant has made representation on 29.04.2014 under Annexure-A/8 before Respondent No.4. He further submits that the said representation of the applicant is still pending for consideration by the authorities.

3. Mr. T.Rath, Ld. Standing Counsel for the Railways, submits that he has no immediate instruction if any such representation has been filed and, if so, the status thereof.

4. In view of the submissions made by Ld. Counsel for the parties and the specific stand of the applicant that his representation is still pending with Respondent No. 4, at this stage, without entering into the merit of this case, we dispose of this O.A. by directing Respondent No.4 to consider the representation under Annexure-A/8 and communicate the decision thereof to the applicant within a period of 60 days from the date of receipt of a copy of this order.



5. As prayed for by Mr. Parija, Ld. Counsel for the applicant, copy of this order, along with paper book, be transmitted to Respondent No. 4 by Speed Post at the cost of the applicant for which he undertakes to file the postal requisites by 12.11.2014.


(R.C.MISRA)

MEMBER(Admn.)


(A.K.PATNAIK)

MEMBER(Judl.)

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