

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

O.A. 772/1996

Date of order: 01.03.2002

Present: Hon'ble Mr. B.P. Singh, Administrative Member.  
Hon'ble Mr. M.L. Chauhan, Judicial Member.

R.C. Dey

- v e r s u s -

1. Union of India through the General Manager,  
Eastern Railway, 17, Netaji Subhas Road,  
Calcutta-1.
2. The Chief Personnel Officer, Eastern Railway,  
17, Netaji Subhas Road, Calcutta-1.
3. The Senior Divisional Commercial Manager,  
Eastern Railway, Asansol.

...Respondents.

For the applicant : Mr. B. Chatterjee, counsel.

For the respondents . Mr. R.K. De, counsel.

O R D E R

B.P. Singh, AM

When the matter is taken up today, the Id. counsel for the applicant has submitted that the applicant has preferred an appeal against the order of the disciplinary authority dated 28.9.94 on 30.10.1994. The appeal is still pending with the respondent authorities without any order. The Id. counsel has submitted that if direction is issued to the respondent authorities to consider the appeal and pass necessary order within stipulated period, he will be satisfied.

2. The Id. counsel for the respondents appears in the case. Reply has been filed in this case. Id. counsel does not have any objection to the prayer of the Id. counsel for the applicant. He, however, draws our attention in paragraph 10 of the reply according to which no appeal or representation from the applicant has been received in the office, and in case the same is received, they would consider the same according to the rules. The Id. counsel, therefore, submits that the applicant

may be directed to make representation, if any, against the order of the disciplinary authority.

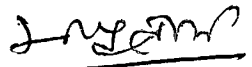
3. From the O.A. it is clear that appeal was preferred by the applicant on 30.10.1994 which is enclosed as Annexure-A/1 to the O.A. This appeal may be considered by the respondent authorities according to the rules and necessary order may be passed within stipulated period. In view of the appeal being available in the O.A. there is no need for making further appeal in this.

4. In view of the above we hereby direct the respondent authorities to consider the appeal of the applicant enclosed as Annexure-A/1 taking this O.A. as a part thereof and pass a speaking and reasoned order within a period of three months from the date of communication of this order as per rules and communicate the same to the applicant within a period of two weeks thereafter.

5. No order is passed as to cost.



Member (J)



Member (A)