

CENTRAL ADMINISTRATIVE TRIBUNAL  
CALCUTTA BENCH

No. OA 1018 of 96

Present : Hon'ble Mr. Justice S.N.Mallick, Vice-Chairman  
Hon'ble Mr.S.Dasgupta, Administrative Member

NAZIR SOREN

VS

UNION OF INDIA & ORS.

For the applicant : Mr.G.S.Sarkar, counsel

For the respondents: Mr.P.K.Arora, counsel

Heard on : 5.2.98

Order on : 5.2.98

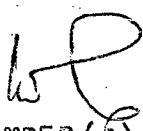
O R D E R

S.Dasgupta, A.M.

We have heard the 1st. counsel for both the parties. We have also perused the pleadings on record including the averments made in the reply submitted by the respondents. The applicant has challenged an order dated 20.11.93 by which the penalty of removal from service was imposed on him after ~~the~~ departmental proceedings. ~~that~~ According to the applicant an appeal against the order was filed by him on 3.1.94. The respondents have however, denied receipt of any such appeal. The applicant in his rejoinder has reiterated that he had actually preferred this appeal and in support of his contention he has produced a certificate of posting which bears the same date as the date of appeal.

2. The 1st. counsel for the applicant submitted that at this stage he will be satisfied by the due disposal of the appeal he has preferred. We therefore dispose of the application with a direction to the respondents to treat the representation dated 3.1.94 as an appeal preferred by the applicant against the impugned order of penalty(a copy of which

is placed in Annexure 'C') and dispose of the same in ~~connection~~ <sup>accordance</sup> with the Railway Servants(Discipline & Appeal) Rules within 3 months from the date of communication of this order. The order shall be communicated to the applicant within a period of 2 weeks from the date of decision.



MEMBER (A)



VICE-CHAIRMAN