

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH

OA 1023 of 1996

Present : Hon'ble Mr. Sarweshwar Jha, Administrative Member
Hon'ble Mr. M.K.Gupta, Judicial Member

Haripada Saren

-VS-

S.E.Railway

For the Applicant : None

For the Respondents: Mr. S. Chowdhury, Counsel

Date of Order : 20-09-2004

O R D E R

MR. SARWESHWAR JHA, AM

None is present on behalf of the applicant. Ld. Counsel for the respondents is present.

2. Earlier this case was being looked after by Shri S.K. Ghosh, Ld. Counsel on behalf of the applicant. After his' sad demise a notice had been sent to the applicant for engagement of some other lawyer to argue the case on his behalf, if he thought fit and proper. There has been no appearance on behalf of the applicant in the matter in spite of the notice issued on 26-6-2004. Having gone through the facts of the case, it is observed that the applicant had filed this O.A. with prayer that the respondents be directed to cancel/ withdraw/rescind the impugned show cause notice dated 29.12.1995, charge sheet dated 10.1.1996 and the order of punishment dated 12.7.1996.

3. The respondents in their reply have, however, submitted the facts of the case in paragraph 11 of their reply. On perusal of



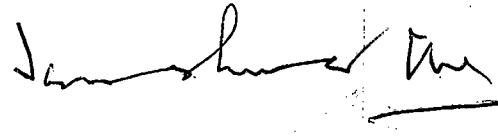
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the same, it is observed that the applicant, on 19.1.1996, in his reply ^{had} clearly confessed his mistake and assured the Administration that he would avoid such type of mistake in future. He also wanted to withdraw his previous explanation dated 31.12.1995. The D&A authority warned the applicant treating the matter as a first time.

4. Having regard to the facts of the case as submitted by the two parties, it is observed that since the applicant had already admitted his mistake and the D&A authority had warned him not to repeat the same in future, the matter appears to have been closed for good. We, therefore, do not find any merit in the case and, accordingly, the same is dismissed.



Member (J)



Member (A)

DKN