

Date of Decision: 10.9.97

OA 235/97

Amrood, last employed on the post of Gangman in the office of PWI, Mandalgarh, Western Railway.

... Applicant

Versus

1. Union of India through the General Manager, Western Railway, Churchgate, Bombay.
2. Assistant Engineer (Central), Kota, Western Railway.
3. Divisional Engineer (Central), Kota, Western Railway.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.J.K.Kaushik

For the Respondents

... —

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Amrood, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, challenging the impugned order dated 13/14.9.88, punishment order dated 12.2.96 as also any other adverse order, if passed on the appeal.

2. We have heard the learned counsel for the applicant.

3. The applicant while serving as a Gangman was served with a charge-sheet dated 13/14.9.88, wherein an allegation of misconduct was made against him in so far as he had obtained employment by producing a false service card. After the enquiry was made, the penalty of dismissal from service was imposed upon him by order dated 12.2.96, vide Ann.A-2. Applicant preferred an appeal to the appellate authority challenging the penalty order of dismissal from service imposed by the disciplinary authority. The appeal is marked as Ann.A-5 dated 26.3.96. It is stated by the learned counsel for the applicant that the aforesaid appeal is still pending consideration.

4. In view of this situation, we dispose of this application, at the stage of admission, with a direction to respondent No.3 to take a decision on the applicant's appeal, at Ann.A-5, dated 26.3.96, within a period of four months from the date of receipt of a copy of this order. Let a copy of the OA and the annexures thereto be sent to respondent No.3 alongwith a copy of this order.

C.K.K.N.

If the applicant is aggrieved by the decision taken on his appeal, he shall be at liberty to file a fresh OA.


(O.P.SHARMA)

ADM.MEMBER

VK


(GOPAL KRISHNA)

VICE CHAIRMAN

