

X/20

**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH: JODHPUR**

**ORIGINAL APPLICATION NO. 91/2009
MA NO. 57/2009 IN OA 91/2009**

Date of order: 26.07.2011

CORAM:

**HON'BLE DR. K.B.SURESH, JUDICIAL MEMBER
HON'BLE MR. SUDHIR KUMAR, ADMINISTRATIVE MEMBER**

Bhanwar Lal Purohit S/o Shri Mohan Lal Purohit, aged about 44 years, residence of Purohit Sadan, Industrial Area, Rani Bazar, Bikaner.

...Applicant.

Mr.S.P.Singh, for applicant.

VERSUS

- 1- Union of India through General Manager, North Western Railway, Jaipur.
- 2- The Divisional Railway Manager, Office of the Divisional Railway Manager, North Western Railway, Jodhpur.
- 3- Shri Laxmi Kant Vyas, Divisional Commercial Manager, DRM Office, North Western Railway, Jodhpur.
- 4- The Assistant Commercial Manager, North Western Railway, Jodhpur.

... Respondents.

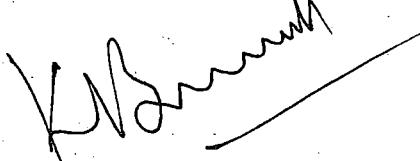
Mr. Manoj Bhandari for respondents No. 1 and 2.
None present for respondent Nos. 3 and 4.

ORDER

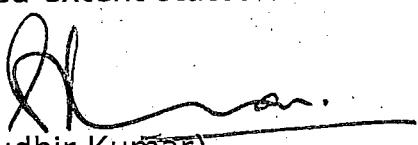
(Per Hon'ble Dr. K.B. Suresh, Judicial Member)

We have heard both counsels.

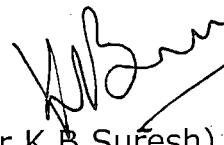
2. It would appear that the disciplinary authority on his promotion became an appellate authority, and may be without knowing the significance of it, considered the matter again and passed an order. But, because of the severe prejudice which visited on the applicant, who was denied a chance of further appeal, which is a vested right in it, it has become vitiated.
- Therefore, we quash the orders Annex.A/2 and A/8 and direct the respondents that the appeal filed by the applicant may be considered afresh by the new appellate authority, who shall


K.B. Suresh

dispose of the matter within two months next after giving an opportunity of being heard to the applicant. O.A. is allowed to the limited extent stated above. No order as to costs.



(Sudhir Kumar)
AM



(Dr.K.B.Suresh)
JM

jrm