

## CENTRAL ADMINISTRATIVE TRIBUNAL

**ORIGINAL APPLICATION No. 92/2009  
JODHPUR:THIS IS THE 28<sup>th</sup> DAY OF MARCH, 2011.**

.....  
Bhanwar Lal Purohit S/o Shri Mohan Lal Purohit, aged about 44 years, resident of Purohit Sadan, Industrial Area, Rani Bazar, Bikaner. Presently working as ECRC at Railway Station Marwar Bhinmal, Jodhpur Division, North Western Railway.

.....Applicant  
VERSUS

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

.....Respondents

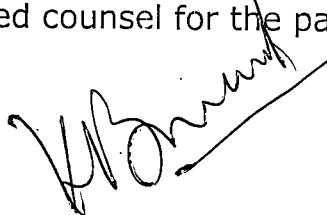
**Present :**

**Mr. S.P.Singh, Advocate, for the applicant.**  
**Mr. Manoj Bhandari, Advocate, for respondents No. 1 to 3.**  
**None present for the respondent No. 4.**

### O R D E R (ORAL)

The applicant in this application is aggrieved by the order dated 3.11.2006 (Annex.A/1) issued by the Assistant Commercial Manager, North-Western Railway, by which he was punished with stoppage of annual grade increments without cumulative effect for a period of two years as well as the chargesheet dated 9.10.2006, issued by the respondent no.4, produced as Annex.A/2, stating therein, that the applicant, has failed to perform his ECRC duties with integrity and on 18.09.2006 closed the reservation window after 3.00 P.M. and repeated the same thing thereafter also on 30.09.2006 without obtaining prior permission of the competent authority.

- 2- Heard the learned counsel for the parties in detail.



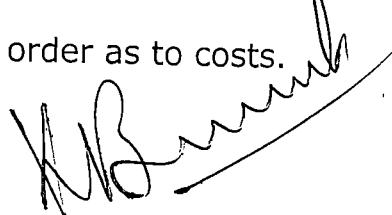
3- On a particular date, the applicant would say that at 3.00 O'Clock in the afternoon, he fell unwell and left the place of employment without appropriately leaving the information to his superiors. He would say as a defence that he felt feverish and thus went to home for taking rest and nobody was prejudiced on account of that and no-one seems to have given complaint. On an another day also the applicant seems to have repeated the thing when without prior permission he left the Office for several days. He would say that he had left the headquarter for some personal work on the plea that he had enough leave due in his account and therefore, he should not have been punished. Admittedly, the Commercial Controller had reported this matter and thereby action followed. The applicant would contend that multiple punishments were imposed on him But, this do not form part of the substratum of the pleadings available but in some of the documents he has produced, he has been able to raise the issue. Therefore, I am inclined to leave aside this matter and that whether the multiplicity of punishment imposed on him to be decided by the administration as and when the applicant files an appropriate representation. He is allowed to do so within one month from today. But in relation to leaving the place of work without information and particularly once he has come on duty and subsequently leaves the premises at his own wish that too without prior approval of his superiors, would cause severe prejudice to the public and such nature of indiscipline cannot and should not be attributed particularly the post which the applicant is holding which involves public contact. Therefore, on his absence and the punishment related to it I am not inclined to interfere but, at the same time, the concerned



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authority shall consider on receipt of representation that whether multiple punishments have been imposed on him on the same offence and appropriate speaking order be passed after affording an opportunity of hearing within three months next.

4- The O.A. is disposed of as above with no order as to costs.



[DR.K.B.SURESH] JM

jrm

सिंहासन २१-६-१६ जोधपुरमुखार  
 ऐरोपार्ट ०९-६-१६  
 को ८.३० बजे ५ बजे।  
  
 लोक अधिकारण  
 जोधपुर राज्यविधान, जोधपुर