

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 778 of 1997

Present: Hon'ble Mr. Justice A.K. Chatterjee, Vice-Chairman.

Hon'ble Dr. B.C. Sarma, Administrative Member.

MAHENDRA KUMAR MISHRA, S/o. Late Singheshwar
Mishra, residing at B-13, Railway Quarter, Santra-
gachi, PO: Jagagachha, Dist: Howrah.

... PETITIONER.

-Versus-

1. UNION OF INDIA, service through the Secretary
Ministry of Railway, Rail Bhawan, New Delhi.
2. The General Manager, S.E. Rly., Garden Reach,
Calcutta-700043.
3. The Divisional Railway Manager, S.E. Rly.,
Kharagpur, Dist. Midnapore (W.B.)
4. The Addl. Divl. Railway Manager, S.E. Rly.,
Kharagpur, Dist. Midnapore (W.B.)
5. The Sr. Divl. Mech. Engineer, S.E. Rly., Kharagpur,
Dist. Midnapore (W.B.)
6. The Loco-Foreman (D), At. & PQ. Santragachi
PO: Jagagachha, Dist. Howrah.

... Respondents.

For the petitioner: Mr. B.K. Gupta, counsel.

For the respondents: Mr. P. Chatterjee, counsel.

Heard on: 19.8.97.

Ordered on: 19.8.97.

O R D E R

A.K. Chatterjee, V.C.

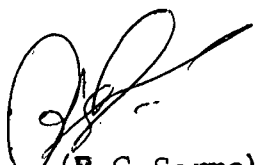
The petitioner was a Loco-Inspector, S.E. Rly., and

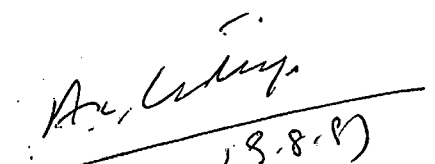
15.5.97 and penalty of removal ^{from service} was imposed ^{upon} ~~against~~ him.

He took an appeal to the appropriate authority on 21.5.97 which according to Mr. Chatterjee, ld. counsel appearing for the respondents, is still pending. The instant application has been filed inter-alia praying for a direction upon the respondents to set aside the penalty as imposed on the applicant by the Disciplinary authority. Since the appeal is pending, we consider it appropriate to dispose of the application at this stage by giving a direction upon the Appellate authority to dispose of the appeal in accordance with the relevant rules.

The application is, therefore, disposed of at the stage of admission and a direction is given to the respondents, in particular, to the Additional Divisional Railway Manager, the respondent no.4 herein, to dispose of the appeal preferred by the petitioner within a period of two months from the date of communication of the order in accordance with the relevant rules. Result of the appeal be communicated to the petitioner within a period of 4 weeks thereafter.

No order as to costs.


(B.C. Sarma)
Member(A)


(A.K. Chatterjee)
Vice-Chairman.
18.8.97