

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. & PO, Santragachi
PO:Jaggacha, 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

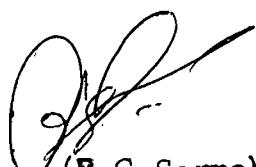
A.K.Chatterjee, V.C.

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

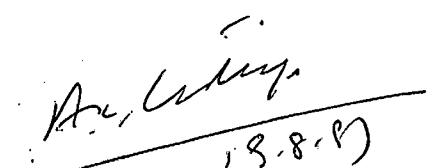
from service upon
15.5.97 and penalty of removal, was imposed/against him.
He took an appeal to the appropriate authority on 21.5.97
which according to Mr. Chatterjee, 1d. counsel appearing for
the respondents, is still pending. The instant application
has been filed inter-alia praying for a direction 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
13.8.97
(A.K. Chatterjee)
Vice-Chairman.