

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A.No.471/93

Tuesday, this the 19th day of July, 1994

CORAM:

HON'BLE SHRI S KASIPANDIAN, ADMINISTRATIVE MEMBER  
HON'BLE SHRI P SURYAPRAKASAM, JUDICIAL MEMBER

R Madhavan,  
Ex: V/T 319 GK/QLN  
Manu Bhavan  
Maranad East  
Maranad PO, Ezhukone. - Applicant

By Advocate Mr R Santhoshkumar

Vs.

1. Union of India through  
General Manager,  
Southern Railway,  
Madras-3.
2. The Divisional Safety Officer,  
Southern Railway,  
Trivandrum-14.
3. The Senior Divisional  
Operating Superintendent,  
Southern Railway,  
Trivandrum-14.
4. The Divisional Railway Manager,  
Southern Railway,  
Trivandrum-14.
5. Ajith,  
Traffic Inspector,  
Southern Railway,  
Quilon. - Respondents

By Advocate Mr Thomas Mathew Nellimootttil

O\_R\_D\_E\_R

S KASIPANDIAN, ADMINISTRATIVE MEMBER

Applicant was a Gatekeeper in the Operating Department  
at Quilon Junction of the Trivandrum Division of Southern

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Railway. There was a charge against the applicant that in his off duty hours he committed serious misconduct in that on 14.2.1990 at about 11.15 hours, he had misbehaved with Station Superintendent, Quilon and used abusive and indecent language against him, thereby violating Railway Service Conduct Rules 3(i)(ii) and (iii) of 1966. An enquiry was conducted into the charges against the applicant and on the basis of the enquiry report, the applicant was removed from service as in Annexure-A7. He went in appeal against the punishment order and the appellate authority also confirmed the punishment as in Annexure-A9.

2. Learned counsel for the applicant mentioned that a revision petition also has been submitted by the applicant before the 4th respondent, the Divisional Railway Manager, Trivandrum under Rule 24(3) of Railway Servants Discipline and Appeal Rules, 1968. No decision has yet been taken on this revision petition.

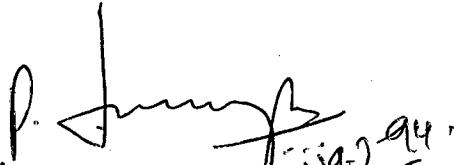
3. After having heard the learned counsel on both sides, we feel that the case of the applicant should be given serious consideration by the 4th respondent, in the light of the submissions made by him in the revision petition. A decision on merits, condoning the delay, if any, in filing the revision petition, may be taken by the 4th respondent

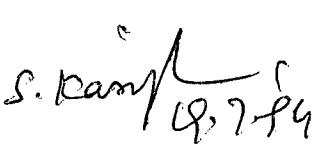


within a period of three months from the date of receipt  
of a copy of this order.

4. The application is disposed of as above. No costs.

Dated, this the 19th day of July, 1994.

  
(P. SURYAPRAKASAM) 19-7-94  
JUDICIAL MEMBER

  
(S. KASIPANDIAN)  
ADMINISTRATIVE MEMBER  
19-7-94

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List of Annexures

Annexure A7:- Order of Removal from service dt. 15-3-91.

Annexure A9:- Appellate Order dt. 31-1-91.