

**CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH**

**O.A. NO. 472 OF 2011**

Thursday, this the 2<sup>nd</sup> day of June, 2011

**CORAM:**

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER  
HON'BLE Mr. K.GEORGE JOSEPH, ADMINISTRATIVE MEMBER**

G . Gokuldas  
Deputy CTI  
Southern Railway, Kollam  
Residing at A-90, Sree Rangan lane  
Sasthamangalam PO  
Thiruvananthapuram – 695 010

... Applicant

(By Advocate Mr. N.Radhakrishnan )

versus

1. The Divisional Manager  
Southern Railway  
Thiruvananthapuram
  2. The Senior Divisional Manager  
Southern Railway  
Thiruvananthapuram
  3. The Additional Divisional Railway Manager  
Southern Railway  
Thiruvananthapuram
  4. Union of India through General Manager  
Southern Railway  
Park Town, Chennai- 3
- ... Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil )

The application having been heard on 02.06.2011, the Tribunal on the same day delivered the following:

**ORDER**

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER**

The applicant as per Annexure A-1 dated 09.01.2007 was removed from service alleging unauthorised absence. Appeal preferred therefrom was disposed of by Annexure A-3 order reducing his penalty of reduction of pay by two stages. Thereafter a revision is filed and the same




is pending. The Revisional Authority pending consideration of revision proposed to enhance the punishment. Annexure A-5 is the show cause notice. Inter-alia such a notice is issued beyond the time and that punishment shall be expired after six months period and impugning that notice, this OA is filed.

2. We have heard Mr.N.Radhakrishnan, the learned counsel for applicant and Mr.Thomas Mathew Nellimoottil, the learned counsel for respondents. We are of the view that it is not necessary to go into the merits of the contentions raised. The Revisional Authority has issued only a notice proposing to enhance the punishment without considering his revision. As such, it is open to the applicant to raise all his contentions before that authority at the first instance. The Revisional Authority shall consider such contentions also before passing final orders pursuant to Annexure A-5. In case, the applicant is aggrieved by the final order so passed, it is open for him to agitate the question on a future date, if occasion arises. A copy of this order be produced by the applicant before the Revisional Authority. OA is disposed of. No costs.

Dated, the 2<sup>nd</sup> June, 2011.



**K GEORGE JOSEPH**  
**ADMINISTRATIVE MEMBER**



**JUSTICE P.R.RAMAN**  
**JUDICIAL MEMBER**

vs