

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 501/97

Friday the 18th day of February, 2000.

CORAM

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. V.S.Rajalakshmi
W/o Late K.K.Rajagopalan
2. K.R.Ritha
D/o Late K.K.Rajagopalan
3. K.R.Nisha
D/o late K.K.Rajagopalan
(All residing at
Valaparambil House
P.O.Koorkancherry
Trichur-7.

...Applicants

(By advocate Mr T.C.Govindaswamy)

Versus

1. Union of India represented by
The General Manager
Southern Railway
Headquarters Office
Park Town P.O.
Madras.
2. The Chief Track Engineer
Southern Railway
Headquarters Office
Park Town P.O.
Madras-3.
3. The Chief Engineer
Southern Railway
Park Town P.O.
Madras.
4. The additional Railway Manager
Southern Railway
Palghat Division
Palghat.
5. The Senior Divisional Engineer/Coordination
Southern Railway, Palghat Division
Palghat.
6. The Chief Personnel Officer
Southern Railway
Park Town
Madras-3.

...Respondents.

(By advocate Mrs Sumathi Dandapani.)

The application having been heard on 18th day of February, 2000, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

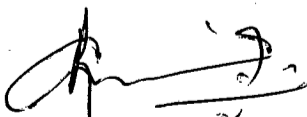
Applicants seek to quash A1 to A4 and to direct the respondents to grant consequential benefits thereof and in the alternative to quash A4 and to direct the first respondent to consider A12 Revision Petition and to direct to pass appropriate orders on A12 Revision Petition within a time frame.

2. When the OA was taken up, learned counsel appearing for the applicants submitted that only one ground is pressed into service and that ground is the incompetency of the authority who has issued A1 order of removal of the first applicant from service.

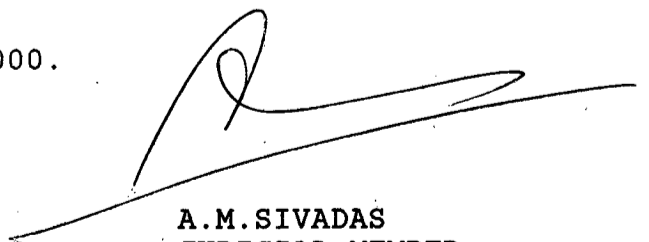
3. Learned counsel appearing for the respondents fairly submitted that A1 order is not issued by the authority who is competent. That being so, A1 is liable to be quashed. If A1 is quashed, then A2 to A4 are also liable to be quashed. Accordingly A1 to A4 are quashed. Respondents are directed to grant the consequential benefits to the supplemental applicants who are the legal heirs of the original applicant within four months from the date of receipt of a copy of this order.

The OA is disposed of as above. No costs.

Dated 18th February, 2000.



G.RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M.SIVADAS
JUDICIAL MEMBER

Annexures referred to in this order:

- A1: True copy of the penalty advice No.J/W 349/11/KRR dated nil July 1995 issued by the 5th respondent.
- A2: True copy of the Appellate Order No.J/W 349/11/KKR of 19.10.95 issued on behalf of the 4th respondent.
- A3: True copy of the Revisional Order J/W 349/11/KKR of 5.6.96 issued on behalf of the third respondent.
- A4: True copy of the letter No.J/W 349/11/KKR of 13.1.97 issued on behalf of the 6th respondent.