

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. NO. 78 OF 2011

Monday, this the 28th day of March, 2011

CORAM:

**HON'BLE Mr.JUSTICE P.R.RAMAN, JUDICIAL MEMBER
HON'BLE Ms.K.NOORJEHAN, ADMINISTRATIVE MEMBER**

Veena Sulochanan
Senior Commercial Clerk (Booking Office)
Railway Station, Alwaye ... Applicant

(By Advocate Mr.CSG Nair)

versus

1. Union of India represented by the Chairman
Railway Board
New Delhi – 110 001
2. General Manager
Southern Railway
Chennai – 610 001
3. Divisional Railway Manager
Southern Railway
Trivandrum- 695 014
4. Senior Divisional Commercial Manager
Southern Railway, Trivandrum Division
Trivandrum – 695 014
5. Senior Divisional Personnel Officer
Southern Railway
Trivandrum – 695 014
6. Divisional Commercial Manager
Southern Railway
Trivandrum – 695 014
7. Assistant Commercial Manager
Southern Railway
Trivandrum – 695 014 ... Respondents

(By Advocate Mr.Thomas Mathew Nellimoottil)

The application having been heard on 28.03.2011, the Tribunal
on the same day delivered the following:



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

The grievance of the applicant is against Annexure A-15 major penalty charge sheet which was issued for unauthorised absence from 16.12.2009 to 20.11.2010. The contention of the applicant is that by Annexure A-4 she has been sanctioned 30 days of Child Care Leave from 16.12.2009 to 14.01.2010. In the circumstance, the charge sheet issued is liable to be quashed.

2. Respondents have filed a statement. It is stated that Annexure A-4 is only for a part of the period and for the remaining part of the period order has been issued subsequent to the filing of the OA regularising the leave and as such charges are not in existence as of now. The respondents have stated in the reply statement as under:-

" The charge sheet was issued for unauthorised absence. But the period of absence is now regularised and hence the charges are not in existence. As such, no further action will be taken based on the charge sheet issued."

3. In view of the above submission, OA has become infructuous and is dismissed.

Dated, the 28th March, 2011.


K.NOORJEHAN
ADMINISTRATIVE MEMBER


JUSTICE P.R.RAMAN
JUDICIAL MEMBER

VS