

Central Administrative Tribunal
Ernakulam Bench

OA 89/98

Ernakulam, this the 19th day of January 1998.

Hon'ble Mr A.V. Haridasan, Vice Chairman (J)
Hon'ble Mr S.K.Ghosal, Member (A)

S. Sheelakumari
W/o Gopinath K.V.
Senior Commercial Clerk
Booking Office
Ernakulam Junction
Southern Railway
R/o LIG 669, Panampilly Nagar
Cochin - 36. ...Applicant.

(By advocate: Mr V.R.Ramachandran Nair)

Versus

Union of India through

1. General Manager
Southern Railway
Chennai.
2. Divisional Railway Manager
Southern Railway
Thiruvananthapuram.
3. Additional Divisional Railway Manager
Southern Railway
Thiruvananthapuram.
4. Senior Divisional Commercial Manager
Southern Railway
Thiruvananthapuram. Respondents.

(By advocate: Mr Mathews J. Nedumpara, ACGSC)

ORDER (oral)

By Mr A.V. Haridasan, Vice Chairman (J)

Applicant was by order dated 18.10.96 (Annexure A-2) awarded a penalty of reduction in pay from Rs. 1470/- to Rs. 1440/- in the scale of Rs. 1200-2040 for a period of one year with recurring effect. The applicant filed an appeal on 15.4.1997 to the Divisional Railway Manager, Southern Railway, the second respondent.

2. In the preamble to the appeal against the penalty advice, the applicant has stated that the competent appellate authority is the Divisional Railway Manager and not the Additional Divisional Railway Manager as was stated in the impugned penalty order. The applicant has taken various grounds in the appeal against the penalty. Finding that this appeal still remains undisposed of, the applicant has filed this application seeking to have the impugned order at Annexure A-2 quashed and with an alternative prayer for a direction to the second respondent to consider and dispose of Annexure A-3 appeal.

3. When the application came up for hearing today, learned counsel appearing for the respondents submitted that the Annexure A-3 appeal would be considered and disposed of by competent appellate authority within a reasonable period.

4. In view of the above submissions by the learned counsel for the respondents, this application is disposed of directing ^{the respondents} to have the appeal submitted by the applicant considered and disposed of with appropriate speaking order by the competent appellate authority within a period of three months from the date of receipt of a copy of this order.

No order as to costs.

(S.K. GHOSAL)
MEMBER (A)

(A.V.HARIDASAN)
VICE CHAIRMAN (J)

aa.

LIST OF ANNEXURES

1. Annexure A2: Penalty advice No.V/V0/T/FR/46/95 dated 18.10.1996 issued by the 4th respondent.
2. Annexure A3: Appeal dated 15.4.1997 submitted by the applicant to the 2nd respondent.

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