

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No.100 of 1997

Monday, this the 20th day of January, 1997

CORAM

HON'BLE MR P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

HON'BLE MR A M SIVADAS, JUDICIAL MEMBER

K.P. Prabhakaran, S/o M.P. Balakrishnan Nair,
Ex-Station Master/Southern Railway,
Etakkot (Palghat Division),
Residing at: Prabha Sanghamam,
Madathil, West Ponniam Post,
(Via) Tellichery,
Cannanore District, Kerala.

.. Applicant

By Advocate Mr TCG Swamy.

Vs

1. The Chief Operations Manager,
Southern Railway,
Headquarters Office,
Park Town P.O., Madras-3.
2. The Additional Divisional Railway Manager,
Southern Railway,
Palghat Division, Palghat.

.. Respondents

By Advocate Mr P.A. Mohammed.

The application having been heard on 20th January, 1997,
the Tribunal on the same day delivered the following:

O R D E R

P V VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

The applicant who has been dismissed from service
as a Station Master by A-1 order dated 4.10.1996 filed
an appeal before the appellate authority on 16.11.1996(A-2).
Applicant contends that by A-3 orders of the Railway Board
a time limit of one month has been prescribed for
disposal of appeals by the appellate authority, and if it
cannot be so disposed of, it should be reported to the
next higher authority with reasons for delay. Applicant
prays that the appellate authority (first respondent

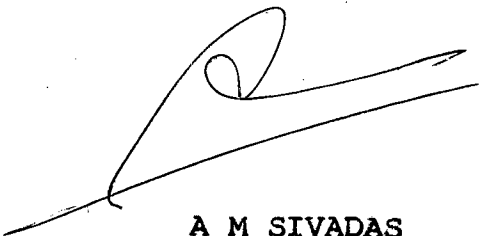
herein) may be directed to dispose of the appeal A-2 within a prescribed time limit.

2. The appeal was submitted on 16.11.1996 and, according to the applicant, received by respondents on 20.11.1996, and therefore it should have been disposed of by the first respondent by 20.12.1996. It is not clear from the pleadings whether he has reported the matter to the next higher authority as envisaged in A-3 and whether any remedial steps have been taken to enable him to dispose of the appeal within one month. Therefore, we consider it proper to direct the first respondent to dispose of the appeal within one month of today.


3. We accordingly direct the first respondent to consider A-2 appeal and pass appropriate orders thereon within one month of today.

4. Application is allowed as aforesaid. No costs.

Dated the 20th of January, 1997.



A M SIVADAS
JUDICIAL MEMBER



P V VENKATAKRISHNAN
ADMINISTRATIVE MEMBER

LIST OF ANNEXURES

1. Annexure A-1: A true copy of the Order No.J/T 5/I/E1/106/95 DAR dated 30.9.96/4-10-96 issued by the second respondent.
2. Annexure A-2: A true copy of the appeal dated 16.11.96 submitted by the applicant to the second respondent.
3. Annexure A3: A true extract of the Order No.E(D&A) 71 RG 6-22 dated 11.6.71 issued by the Railway Board and as published in "The Railway Servants(Discipline and Appeal) Rules, 1968 - M.L. Jand."

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