

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 190 of 1995

Thursday, this the 23rd day of March, 1995

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. TN Sukumaran,
Welfare Inspector,
Southern Railway, Palghat
residing at "AK Sadanam",
PO Murinjakal, Via Koodal,
Pathanamthitta Dist.

.. Applicant

By Advocate Mr. V Ramachandran

Vs.

1. Union of India
through the General Manager,
Southern Railway, Madras-3.
2. The Chief Personnel Officer,
Southern Railway,
Madras-3.
3. The Divisional Railway Manager,
Southern Railway,
Trivandrum-14.
4. R Bhuvana Lakshmi,
Enquiry Officer,
Headquarters Office,
Southern Railway, Madras-3.
5. The Divisional Personnel Officer,
Southern Railway,
Palghat.
6. The Chief Administrative Officer,
(Construction),
Southern Railway, Egmore,
Madras-8.

.. Respondents

By Advocate Mrs. Sumathi Dandapani (R.1 to 3, 5&6)

O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant challenges the legality of the disciplinary proceedings instituted against him. According to him, sixth respondent does not have the authority to proceed against him.

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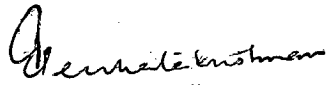
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Several other contentions are also raised. We thought that the preliminary issues should be decided as early as possible so that undue delay in finalisation of proceedings can be avoided, more so in view of the impending retirement of applicant sometime this year. In the meanwhile, by MA 331/95 the General Manager, Southern Railway seeks permission to reconsider or rather consider the issues raised in the Original Application at the departmental level. Learned Counsel for applicant submits that the other grievances of applicant also may be considered in the process, permitting him to withdraw the application. We grant leave to withdraw the application and dismiss it without expressing any opinion on the merits.

2. We permit respondent General Manager, Southern Railway to examine the whole matter including the grievances that applicant may raise by a separate representation within seven days from today. General Manager, Southern Railway will pass final orders in the matter on or before 01-05-1995 and communicate the orders to applicant.

3. The Original Application is disposed of as aforesaid. No costs.

Dated the 23rd March, 1995



PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN