

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. No. 195 OF 2000.

Wednesday this the 23rd day of February 2000.

CORAM:

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

HON'BLE MR. J.L. NEGI, ADMINISTRATIVE MEMBER

P. Vishwanathan,
Salaried Commission Bearer
(Under Suspension),
Coimbatore Junction,
Palghat Division, Palghat. Applicant
(By Advocate Shri Siby J. Monippally)

Vs.

1. Deputy Chief Commercial Manager
(Catering), Southern Railway,
Chennai.
2. Senior Divisional Commercial Manager
(Catering), Southern Railway,
Palghat Division, Palghat.
3. Union of India represented by
its Secretary, Ministry of
Railways, New Delhi. Respondents
(By Advocate Shri Thomas Mathew Nellimoottil)

The application having been heard on 23rd February 2000
the Tribunal on the same day delivered the following :

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who entered into service as Commission Bearer was conferred with the status of Salaried Commission Bearer by order dated 13.8.1983. He was placed under suspension for involvement in a criminal case on 24.1.1993. However, he was acquitted by the Criminal Court in C.C. 24/93 by the Judicial Magistrate Court No.6, Coimbatore, vide judgement dated 20.9.96. After he was acquitted he made a representation to the first respondent with a copy of the judgement requesting that he be reinstated. This

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representation was forwarded to the 2nd respondent by the first respondent by A2 letter. However, no decision has so far been taken and the applicant has not been re-inducted into the service thereafter. Therefore, the applicant has filed this application for a direction to the 2nd respondent to consider and dispose of the representation of the applicant in accordance with law and to direct the respondents to revoke the order of suspension and reinstate the applicant into service as Salaried Commission Bearer.

2. When the application came up for hearing the learned counsel of the parties agreed that the application may be disposed of with a direction to the respondents to have the case of the applicant put forth in the representation considered and disposed of in accordance with law by the competent authority, 2nd respondent, within a reasonable time.

3. In the light of the above submissions made by the counsel on either side, the application is disposed of directing the 2nd respondent to consider and dispose of the representation of the applicant and to give him a speaking order within a period of three months from the date of receipt of a copy of this order. No costs.

Dated the 23rd February 2000.


J.L. NEGI
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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Annexure A2: Photostat copy of the intimation No.C.84/V/CV/PV/97 dated 26.11.1997 issued by the first respondent.