

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

...

O.A. No. 32/89

DATED TUESDAY THE THIRTYFIRST DAY OF JANUARY
NINETEEN HUNDRED AND EIGHTY NINE

PRESENT

Hon'ble Shri G. Sreedharan Nair, Judicial Member

&

Hon'ble Shri N. V. Krishnan, Administrative Member

A. Ramachandran

Applicant

Vs.

1. General Manager, Southern Railway,
Park Town, Madras-3

2. Senior Divisional Engineer (East)
Southern Railway, Palghat-2

3. Senior Divisional Personnel Officer,
Southern Railway, Palghat-2 and

4. Sri T. P. Ramachandran
Permanent Way Inspector,
Southern Railway, Tirucherappally For

Respondents

Mr. K. Padmanabhan

Counsel for the
applicant

ORDER

(Pronounced by Hon'ble Shri G. Sreedharan Nair)

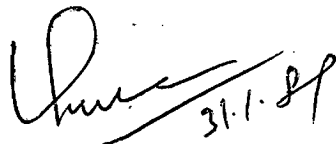
Heard the counsel for the applicant.

2. The relief that is claimed in this application
filed by a C.P.C. Man Mazdoor, attached to the Pasur
Station of the Southern Railway against whom disciplinary
proceedings have been instituted, is to grant him an
opportunity to cross examine one of the witnesses
examined on 6.10.1988 and also to adduce further evidence.
Admittedly, the applicant has chosen to approach this

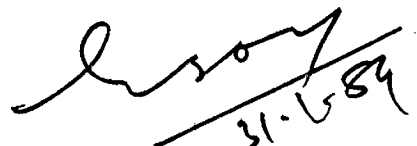
Tribunal even before the conclusion of the enquiry proceedings. At this stage, in case the applicant desires to adduce evidence before the enquiry authority, it has to be done by filing appropriate application before that authority. There is no case that such a motion was made, but was not considered by that authority. This Tribunal is not to issue directions pending enquiry against a civil servant as to ^{how} ~~the~~ the enquiry is to be ^{ask} proceeded with or the nature of the evidence to be permitted to be adduced.

3. We hold that this application is not maintainable. We would however make it clear that the rejection of this application shall not preclude the applicant, in case he so desires, to challenge the final order in the disciplinary proceedings.

4. The application is rejected.



(N. V. Krishnan)
Administrative Member
31.1.1989



(G. Sreedharan Nair)
Judicial Member
31.1.1989

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