

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**ERNAKULAM BENCH**

**Original Application No. 325 of 2010**

**Friday, this the 16<sup>th</sup> day of April, 2010**

**CORAM:**

**Hon'ble Mr. Justice K. Thankappan, Judicial Member**  
**Hon'ble Mr. K. George Joseph, Administrative Member**

C.C. James, aged 54 years, S/o. C.T. Chinakku,  
 Loco Pilot (Goods)/Southern Railway/Ernakulam  
 Junction, Permanent Address: Chungathu House,  
 Trichur.

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**Applicant**

**(By Advocate – Mr. Mohana Kumar for Mr. T.C. Govindaswamy)**

**V e r s u s**

1. Union of India, represented by the General Manager,  
 Southern Railway, Headquarters Office, Park Town  
 P.O., Chennai-3.
2. The Additional Divisional Railway Manager,  
 Southern Railway, Trivandrum Division,  
 Trivandrum-14.
3. The Sr. Divisional Electrical Engineer (Operations),  
 Southern Railway, Trivandrum Division,  
 Trivandrum.
4. Shri Balaji, Sr. Divisional Electrical Engineer  
 (Operations), Southern Railway, Trivandrum Division,  
 Trivandrum.

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**Respondents**

**(By Advocate – Mr. Varghese John for Mr. Thomas Mathew  
 Nellimoottil)**

This application having been heard on 16.4.2010, the Tribunal on the  
 same day delivered the following:

**ORDER**

**By Hon'ble Mr. Justice K. Thankappan, Judicial Member -**

This Original Application is directed against Annexure A-1 penalty

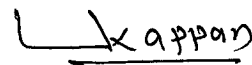


order by the disciplinary authority. When the Original Application came up for admission we have noted that the statutory appeal as already prescribed is not filed. If so, unless the departmental remedies are exhausted this Tribunal is not in a position to exercise its jurisdiction. Hence, we direct the applicant to file the statutory appeal within ten days from today and if such an appeal is filed before the competent authority the appellate authority on so receiving the appeal will consider the same and pass appropriate orders thereon within a reasonable time at any rate within six months from the date of receipt of a copy of this order.

2. With the above direction this Original Application stands disposed of accordingly. However, it is made clear that even if the appeal is preferred after the expiry of limitation the appellate authority shall consider it and shall condone the delay also.



(K. GEORGE JOSEPH)  
ADMINISTRATIVE MEMBER



(JUSTICE K. THANKAPPAN)  
JUDICIAL MEMBER

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