

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

O.A. No. 334 OF 2005

Wednesday, this the 17th day of August, 2005.

CORAM :

**HON'BLE MR.K.V.SACHIDANANDAN, JUDICIAL MEMBER
HON'BLE MR.N.RAMAKRISHNAN, ADMINISTRATIVE MEMBER**

L.Jagadeesan
Ex-Hospital Attendant
Railway Hospital, Palghat
Residing at : Kaliyamman Kovil
Old Suramangalam, Salem – 5 : **Applicant**

(By Advocate Mr.T.C.Govindaswamy)

Versus

1. Union of India represented by the
General Manager
Southern Railway,
Park Town P.O.
Chennai – 3
2. Chief Medical Director
Southern Railway
MMC Complex Building, 4th Floor
Headquarters Office,
Park Town Post
Chennai – 3
3. The Additional Divisional Railway Manager
Southern Railway, Palghat Division,
Palghat
4. The Senior Divisional Medical Officer,
Railway Hospital, Southern Railway
Palghat : **Respondents**

[By Advocate Mr. Thomas Mathew Nellimoottil]

The application having been heard on 17.08.2005 the Tribunal on the same day delivered the following:

ORDER (ORAL)HON'BLE Mr. K.V.SACHIDANANDAN, JUDICIAL MEMBER

The applicant is an Ex-Hospital Attendant of the Southern Railway Hospital, Palghat. He was aggrieved by Annexure A-1 order removing him from service and Annexure A-2 order rejecting his appeal. According to him, inspite of several reminders the Revision Petition submitted by him was not disposed of. He also filed Annexure A-10 Revision Petition dated 15.12.2003 to the General Manager, the higher Revisional authority. The applicant has filed this O.A seeking the following reliefs:-

- i. Call for the records leading to the issue of Annexure A1 and A2 and quash the same.
- ii. Direct the respondents to reinstate the applicant back in service with all consequential benefits including arrears of pay and allowances or in the alternative.
- iii. Declare that the applicant is entitled to be granted compassionate allowance in the wake of his removal from service and direct the respondents to grant the same accordingly with arrears thereon.
- iv. Award costs of and incidental to this application.
- v. Pass such other orders or directions as deemed just, fit and necessary in the facts and circumstances of the case.

2. Shri T.C.Govindaswamy, learned counsel appeared for the applicant and Shri Thomas Mathew Nellimoottil learned counsel appeared for the respondents.
3. When the matter came up for hearing, the learned counsel for respondents submitted that he could not produce the acknowledgment card communicating the Revisional Authority's order against Annexure A-5 Revision Petition as the entire file relating to the disciplinary proceedings is missing.
4. The learned counsel for applicant submitted that the applicant would be satisfied if the Revision Petition dated 15.12.2003 (Annexure A-10) pending before the General Manager is considered and disposed of within a time frame. The learned



counsel for respondents submitted that he has no objection in adopting such a course of action.

5. In the interest of justice, we direct the 1st respondent to consider and dispose of the Revision Petition (Annexure A-10) and pass appropriate orders within a time frame of three months from the date of receipt of a copy of this order.

6. The O.A is disposed of as above. In the circumstances no order as to costs.

Dated, the 17th August, 2005.



N. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



K.V. SACHIDANANDAN
JUDICIAL MEMBER

vs