

IN THE CENTRAL ADMINISTRATIVE TRIBNAL, LUCKNOW BENCH

Original Application No.322/2003.

this the day of 16th July, 2003.

HON'BLE MR. A.K. MISRA, MEMBER (A).

HON'BLE SMT. SHYAMA DOGRA, MEMBER (J).

Anil Kumar Bali, aged about 45 years,
son of ~~late~~ Rajendra Kumar Bali,
resident of II-25-C, Railway Barha Colony,
Alambagh, Lucknow.

... Applicant.

By Advocate:-Sri U.K. Srivastava.

Versus.

Union of India through the Secretary,
Railway Board, Rail Bhawan,
New Delhi.

2. General Manager, Northern Railway,
Headquarters Office Baroda House,
New Delhi.

3. Divisional Railway Manager,
Northern Railway, ~~Mathura~~,
Hazratgnaj,
Lucknow.

4. Senior Divisional Commercial Manager,
Northern Railway,
Lucknow.

... Respondents.

By Advocate:-Sri N.K. Agrawal.

O R D E R (ORAL)

BY MR. A.K. MISRA, MEMBER (A).

The relief claimed in this O.A. is for quashing the impugned order of relieving dated 11.11.2002 (Annexure-A-5) whereby the applicant ~~have~~ ^{had} been asked to appear in the office of Railway Board's New Delhi, alongwith his duty diary for the last six months.

2. Learned Counsel for the parties have been heard.

3. Earlier an O.A.No.204/2003 was filed by the applicant which was decided by order dated 03.06.2003 in which directions were issued to the applicant to attend the office of the Railway Board alongwith his diary of duties of the last six months latest by 20th June, 2003 as per direction given by the appellate authority. It ~~is~~ ^{was} also provided in the order dated 03.06.2003 passed by this Tribunal that the suspension order dated 15.11.2002 shall stand revoked automatically on the date, the applicant attends the office of the Railway Board. Through this O.A. the applicant has sought direction to the effect that the applicant be not asked to appear in Room No.521-A in ~~the~~ office of Railway Board, New Delhi. In para-4.15 of the O.A., it is stated by the applicant that on account of deep depression and high blood pressure he ~~was~~ ^{had} to be hospitalised in the Railway Hospital from 19.06.2003 to 23.06.2003 and therefore he could not appear in Room No.521-A in the office of Railway Board as per direction given by this Tribunal by order dated 03.06.2003.

4. Having regard to the averements made in para-4.15 of the O.A., we dispose of this O.A. with the direction that the applicant shall now appear in Room No.521-A in the office of Railway Board, New Delhi on 10.8.2003 as required by letter dated 11.11.2002 (Annexure-A-5). It is also provided that the suspension order dated 15.11.2002 shall stand revoked automatically on the date, the applicant attends the office of the Railway Board. The respondents will however ensure that no coercive method will be employed against the applicant, when he appears in office of the Railway Board.

5. The O.A. is disposed of as above without any order as to costs.

MEMBER (J)

S. S. Gopal
16/7/03

MEMBER (A).

Dated:-16.7.2003.
Lucknow.
Amit/-