

(1)

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.307/2007
This the 31st day of July 2007

HON'BLE MR. N.D. DAYAL, MEMBER (A)
HON'BLE MR. M. KANTHAIAH, MEMBER (J)

Lal Ji Singh S/o Late Shri Raj Bahadur Singh, aged about 58 years, R/o village Narainpur, Post Bharthipur, P.S. Lambhua, Distt. Sultanpur.

...Applicant.

By Advocate: Dr. A.K. Singh.

Versus.

1. Union of India through Secretary Department of Railway, New Delhi.
2. A.D.R.M., Dhanbad (E.C.R.).
3. Disciplinary Authority Divisional Mechanical Engineer (P), Dhanbad.

By Advocate: Shri B.B. Tripathi for Shri N.K. Agrawal.

ORDER

BY HON'BLE MR. N.D. DAYAL, MEMBER (A).

In this case the applicant has assailed the charge sheet Dt. 31.01.2006, which has been impugned by him and he also seeks any other direction. Learned counsel for the respondents points out that after issuance of charge sheet, disciplinary proceedings have been concluded and the applicant has been punished by compulsory retirement vide order dated 11.8.2006. Admittedly, the applicant has submitted an appeal against the order of punishment. It is his contention that this is a case of no evidence. It is not disputed that appeal dated 7.7.2007 is due to be taken up for consideration as it was filed a few days back. It has been preferred on 7.7.2007 and the

(2)

applicant has approached the Tribunal without exhausting the statutory remedy.

2. In view of the above situation, let the Appellate authority consider the appeal preferred by the applicant on merits and inform him of the decision taken by a speaking order taking into account the grounds advanced in this O.A. in addition to the grounds advanced in the appeal dated 7.7.2007 within a period of three months from the date of receipt of the copy of this order.

3. The OA is disposed of as above. No orders as to costs.

.....
(M.KANTHAIAH)
MEMBER(J)

31.07.07


(N.D.DAYAL)
MEMBER(A)