

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.304/2009

This the 30th day of July, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Hon'ble Dr. A.K. Mishra, Member-A

Ram Pal, aged about 58 years, son of Late Sheo Lal, resident of 166, Gandhi Nagar, Sidhauri, District Sitapur, employed and posted at present as Gangman in Gang No.28 LB Gola Gokarannath, Under Section Engineer (Rail Path) NE Railway, Lakhimpur.

.....Applicant

By Advocate: Sri M. Naseerullah.

Versus

1. The Union of India, through the General, Manager, N.E. Railways, Gorakhpur.
2. The Divisional Engineer III, N.E. Railway, Hazratganj, Lucknow.
3. The Assistant Divisional Engineer, N.E. Railway, Sitapur.

.....Respondents

By Advocate: Shri C.B. Verma.

ORDER (Oral)


By Ms. Sadhna Srivastava, Member-J


The applicant is aggrieved by order dt.19.09.2008 passed by Assistant Divisional Engineer, North Eastern Railway, Sitapur whereby the applicant's pay has been reduced from Rs.2750-4400 to Rs. 2650-4000 as a result of charge sheet dt. 2.2.2007. The applicant stated that aggrieved by the aforesaid order, he has filed an appeal before the Appellate authority on 25.10.2008, as contained in Annexure-A-2 but the same is still pending. On the other hand Shri C.B. Verma, learned counsel appearing on behalf of the respondents stated that he has



instructions that the copy of appeal has not been received by the respondents.

2. In view of the above circumstances, we dispose of the this OA with a direction to the Respondent No.2 to decide the appeal, which is on record as Annexure-A-2 and pass a reasoned and speaking order in accordance with rules within a period of two months from the date of receipt of the copy of OA alongwith certified copy of this order. It is made clear that appellate authority shall decide the appeal on merits. The OA is disposed of at the admission stage without expressing any opinion on the merits of the case. However, liberty is given to the applicant to file copy of OA and certified copy of this order within one weeks hereof. No order as to costs.


(Dr. A.K. Mishra)
Member-A


(Sadhna Srivastava)
Member-J

Amit/-