

Central Administrative Tribunal Lucknow Bench Lucknow

Original Application No: 129/2010

This, the 19th day of April, 2010

Hon'ble Dr. A. K. Mishra, Member (A)

Lallan Ram, aged about 57 years, son of Shri Murat Ram, resident of 563/59, Chitragupta Nagar, Lucknow.

Applicant

By Advocate Sri M.A. Siddqui.

Versus

1. Union of India, through the General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager (Commercial) Northern Railway, Hazratganj, Lucknow.

Respondents

By Advocate Sri C.B.Verma.

Order (Oral)

By Hon'ble Dr.A. K. Mishra, Member (A)

Heard counsel for the parties.

2. It is the case of the applicant that disciplinary proceedings had been initiated against him. The inquiry report in the proceedings have been finalized and placed before the Disciplinary Authority. The applicant has filed his representation against the findings of the inquiry report on 9.12.2009. According to the learned counsel for the applicant, the Railway Board has prescribed a Model Time Schedule for disposal of the disciplinary proceedings. As per the Model Time Schedule prescribed, the Disciplinary authority is supposed to communicate his final decision within 35 days from the date of submission of the final defence by the charged official. In this case, 4 months have already elapsed. According to him, the grievance of the



applicant will be redressed, if a direction is given to the Disciplinary Authority to dispose of pending representation of the applicant in the disciplinary proceedings case within appropriate time limit.

3. The learned counsel for the respondents submits that he has filed an objection on the ground that not more than 6 months have elapsed in this case, and as such this application is premature in nature.

4. I find that although, more than 4 months have not elapsed but, no final order in the proceedings has been taken. According to the applicant, his grievance will be redressed if a direction is given to the Disciplinary Authority to dispose of the representation within a suitable time limit.

5. In the circumstances, the respondents authority is directed to dispose of the pending representation of the applicant against the findings of the inquiry officer in the disciplinary proceeding drawn up against him within a period of 2 months from the date of supply of copy of this order.

6. Accordingly, the O.A. is disposed of. No costs.


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