

1.10.2012


Hon'ble Mr. Justice Alok K. Singh, Member (J).
Hon'ble Mr. D.C. Lakha, Member (A)

List revised. Nobody is responding for the applicant. It is 11.45 A.M. Sri Rajendra Singh, counsel for official respondents and Sri Rajesh Ojha, counsel for private respondent no.4 are present.

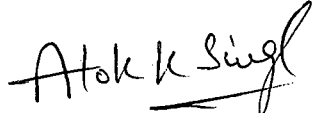
The official respondents filed Preliminary Objection on the ground that the O.A. is barred by Section 20 of Administrative Tribunals Act, 1985, which pertains to limitation. It is said that the period of limitation is one year, which can be extended by six months. It is said that the impugned suspension order has been passed on 21.10.2010 and the charge-sheet has been issued on 3.11.2010. Under Rule 5 of Railway Servants (Discipline & Appeal) Rules, 1968 the appeal lies to the competent authority within a period of 45 days from the date of suspension order. But as appeared from the perusal of record, no such appeal was filed. Similarly, no reply has been filed after service of charge-sheet, in question.

In view of the above, the O.A. deserves to be dismissed in view of the aforesaid provisions of Administrative Tribunals Act, 1985 and also having regard to the fact that nobody is responding on behalf of the applicant for the last several dates.

O.A. is accordingly dismissed. No order as to costs.


Member (A)

Girish/-


Member (J)

on
copy of order
dated 01-10-12
Bhup
05-10-2012