

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

**Diary No.2980/2010
This the 10th day of April 2014**

Hon'ble Mr. Navneet Kumar, Member (J)
Hon'ble Ms. Jayati Chandra, Member (A)

1. A.S. Shukla, aged about 55 years son of Late Sri Sukhdev, resident of Village Poore Parmanand Shukla (Basupur), PO-Purab Gaonb (Gauriganj), Sultanpur.
2. Chandrakala Devi Shukla, aged 52 years, wife of – Shri A.S. Shukla, resident of –Village-Poore Parmanand Shukla (Basupur), PO-Purab Gaonb (Gauriganj), Sultanpur.

-Applicant.

By Advocate: Sri Praveen Kumar.

Versus.

Union of India, through

- 1 The General Manager, Central Railway, Mumbai.
- 2 The Divisional Electrical Engineer, Central Railway, Tahne, Kalyan.
- 3 The Assistant Electrical Engineer (Over Head Equipment), Central Railway, Tahne, Kalyan.

-Respondents.

By Advocate: Sri B.B. Tripathi.

O R D E R (Dictated in Open Court)

Per Mr. Navneet Kumar, Member (J)

The applicant has filed this O.A. under Section 19 of Administrative Tribunals Act, seeking the following relief(s):-

- “(1) To quash the impugned order dated 15.02.2006 contained as Annexure No.A-1 to this OA with all consequential benefits.
- (2). To take a suitable decision in view of the health of the applicant no.1 regarding his service benefits etc.
- (3). To release the dues admissible to the applicants under the rules.
- (4). Any other relief, which this Hon'ble Tribunal may deem fit, just and proper under the circumstances of the case, may also be passed.
- (5). Cost of the present case.”



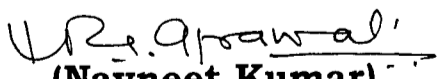
2. Sri Praveen Kumar, learned counsel for the applicant stated at the Bar that the applicant would be satisfied if a direction is given to the respondents to consider and take a decision on the pending appeal of the applicant dated 15.03.2006 against the order of punishment followed with reminder dated 03.04.2007 in accordance with rules within a stipulated period of time.

3. Sri B.B. Tripathi, learned counsel for the respondents filed counter affidavit stating therein that no such appeal has been received in the office of the respondents and even if it is taken as true the said appeal was filed beyond the prescribed period of 45 days.

4. In view of the above, without entering into the merits of the case, the Diary No.2980/2010 is disposed of at admission stage itself with a direction to the respondents to consider and decide the pending appeal of the applicant dated 15.03.2006 (Annexure A-5) against the order of punishment followed with reminder dated 03.04.2007 (Annexure A-6) in accordance with law within a period of four months from the date of receipt of the copy of this order and the decision so taken be communicated to the applicant. The applicant is also directed to file copy of appeal dated 15.03.2006 alongwith copy of this order

5. With the above observations, the Diary No.2980/2010 is disposed of. No order as to costs.


(Ms. Jayati Chandra)
Member (A)


(Navneet Kumar)
Member (A)

Amit/-