

In the cause of ~~Shri A. P. Srivastava vs. Union of India~~ A. P. Srivastava vs. ~~for civil Bench Lucknow~~ ~~Richard~~  
~~Shri S. A. S. Bhatnagar & others~~ ~~Appellants~~  
CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
CIRCUIT BENCH  
LUCKNOW

A.P.

(1) O.A.216/88

A.P. Srivastava

Applicant

versus

Union of India & others

Respondents.

Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon. Mr. A.E. Gorthi, A.M.

(Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant was working as Assistant Station Master at Aishbagh Railway Station. Thereafter, on 31.5.86 Kanpur-Lucknow Express Train met with an accident and 7 persons died. The applicant and some other were suspended and the departmental enquiry started. The enquiry officer was appointed who completed the enquiry and recorded his findings. On the basis of the findings of the Enquiry Officer, the disciplinary authority removed the applicant from service. The applicant filed appeal which was also dismissed. The applicant has challenged this order on variety of grounds including that the enquiry proceedings has many flaws. One of the grounds is that the report of the enquiry officer was not given to him and that is why he could not make any effective representation. Thus, the respondents have violated the principles of natural justice. The applicant became handicapped in the absence of copy of enquiry report.

In the case of Union of India vs. Mohd. Ramzan Khan (AIR, 1991, Supreme Court, 471) wherein it has been held that whenever the enquiry takes place and the enquiry officer records finding against the

A.P. Srivastava

Attested  
True copy  
A.P.S.  
24/11/88

