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CAT/J/12

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI
NEW BOMBAY BENCH

O.A. No. 742/87
~~TAX No.~~

198

DATE OF DECISION 28-6-1988

V.L.Narsimham Petitioner

Applicant in person Advocate for the Petitioner(s)

Versus

General Manager, Central Railway,
Bombay V.T. Respondent

- Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P.Srinivasan, Member(A)

The Hon'ble Mr. M.B.Mujumdar, Member(J)

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Yes
No

(4)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH

O.A.742/87

V.L.Narsimham,
Chief Inspector of Works,
Central Railway,
Bhusawal.

.. Applicant

vs.

Union of India
through
The General Manager,
Central Railway,
Bombay V.T.

.. Respondent

Coram: Hon'ble Member(A) Shri P.Srinivasan
Hon'ble Member(J) Shri M.B.Mujumdar

Appearances:

Applicant in
person.

ORAL JUDGMENT

Date: 28-6-1988

(Per P.Srinivasan, Member(A))

This case was listed before us today for directions. The applicant who is working as Chief Inspector of Works, Central Railway, was proceeded against by way of departmental enquiry as a result of which the punishment of withholding increments for two years with cumulative effect was imposed on him by order dtd. 28.11.86/2-12-1986 (Annexure 'D' to the application) ^{by this application} The applicant challenged this order and in the meanwhile also filed an appeal against the same to the Appellate Authority. This Tribunal admitted the application on 29-4-1988 and directed the Appellate Authority to dispose of the appeal within 4 months from that date.

The matter was listed for today to enable the respondents to give their reply to the application and to intimate where the appeal stands. The applicant who appeared today informs us that the appeal has been disposed of and that the order imposing the penalty had been set aside by the Appellate Authority on the


P. Srinivasan


ground of procedural irregularities. The Appellate Authority has, however, directed the Disciplinary Authority to take de-novo action after rectifying the procedural lapses. The original order of the Appellate Authority has been shown to us and we have perused the same.

The Appellate Authority having thus set aside the penalty order challenged in this application, the grievance raised in the application no longer survives for consideration.

We, therefore, dismiss ~~this~~ application as having become unnecessary. The applicant will be at liberty to come back to this Tribunal if the fresh proceedings initiated ^{goes} ~~against~~ him.

Parties to bear their own costs.


(P. SRINIVASAN)
Member(A)


(M. B. MUJUMDAR)
Member(J)