

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY 400 614.

OA No.309/88

Shri Kalapurkal V. Lal
C/o. T K Dayanand
Agarwal Chawl
G Ward; Room no.3
Lonawala 410401

.. Applicant

v/s.

Divisional Railway Manager
Central Railway
Bombay V.T.

.. Respondent

Coram: Hon. Shri Justice U C Srivastava, V.C.
Hon. Shri M Y Priolkar, Member(A)

Appearance

Shri R K Shetty
Counsel
for the respondent

ORAL JUDGMENT DATED: 20.6.1991
(PER: U C Srivastava, Vice Chairman)

The applicant was appointed as Khalasi in the year 1983. His services were terminated on the charge of having produced Bogus Card. A charge sheet was framed against him in this connection and departmental inquiry was held.

According to the applicant he was not given defence assistant, no documents were given for inspection and the witnesses were examined on the day when the applicant was absent and on the next day he was shown the statement of witnesses who were examined against him. He made an appeal to the appellate authority against the punishment which was rejected. He was not provided with a copy of the inquiry report. However, the inquiry report was given with the punishment order later on. The appeal of the applicant was dismissed and his plea was not considered.

The respondents in their written statement denied the contention of the applicant.

After hearing the counsel for the respondent and going through the application we hereby quash the

(11)

appellate authority confirming penalty of
the impugned order of removal of applicant from service
dated 12-5-1987 and direct the respondents to consider the
appeal of the applicant again in the light of objections
raised in the appeal against the inquiry proceedings.
The appellate authority should consider the appeal
within three months from the date of communication of this
order.



(M Y PRIOLKAR)
MEMBER (A)



(U C Srivastava)
VICE CHAIRMAN