

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

ORIGINAL APPLICATION NO.: 1048/99

Dated this Friday, the 10th day of March, 2000.

CORAM : Hon'ble Shri Justice R. G. Vaidyanatha,
Vice-Chairman.

Hon'ble Shri B. N. Bahadur, Member (A).

Bhaskar Kashiram Surwade,
R/o, Talvel, Tal. Bhusawal,
Dist. Jalgaon.

... Applicant

(By Advocate Shri V. N. Tayade)

VERSUS

1. The Union Of India
through the General Manager,
Central Railway, C.S.T.,
Mumbai.

2. F.A. & C.A.O.,
Central Railway,
C.S.T., Mumbai.

3. The Workshop Assistant,
Accounts Officer,
Central Railway, Bhusawal.

... Respondents.

(By Advocate Shri S. C. Dhavan).

OPEN COURT ORDER

PER.: SHRI R. G. VAIDYANATHA, VICE-CHAIRMAN.

This is an application filed by the applicant complaining of inaction on the part of the Appellate Authority in not disposing of his appeal dated 17.11.1998. Shri S. C. Dhavan for the respondents opposes the O.A. After hearing both the sides, we are disposing of this O.A. at the admission stage.

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2. The applicant is aggrieved by the order of the Disciplinary Authority dated 27.08.1997 in which the Disciplinary Authority has imposed a penalty of reduction of pay. The applicant approached this Tribunal challenging this order by filing O.A. No. 608/98. That O.A. was disposed of by a Bench of this Tribunal to which one of us was a party (R. G. Vaidyanatha) by order dated 07.08.1998 observing that the applicant has not exhausted his statutory right of appeal and, therefore, we permitted the applicant to withdraw the O.A. and to prefer a statutory appeal.

Accordingly, the applicant has now preferred a statutory appeal to the Appellate Authority by his memorandum of appeal dated 17.11.1998. Now the applicant's grievance is that the appeal has not been disposed of till today and, therefore, he has filed this O.A. Without going into the merits of the case and not expressing any observation on the merits of the case, we direct the Appellate Authority to dispose of the applicant's appeal dated 17.11.1998 according to law. In case the applicant is aggrieved by any order passed by the Appellate Authority, he may challenge the same according to law.

3. In the result, the application is disposed of at the admission stage by giving a direction to the Appellate Authority to dispose of the applicant's appeal dated 17.11.1998 within a period of 6 months from the date of

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receipt of a copy of this order according to law. Copy of this order be directly sent to Respondent No. 2, who is the Appellate Authority, for information and compliance. No order as to costs.

B. N. Bahadur

(B. N. BAHADUR)
MEMBER (A).

R. G. Vaidyanatha

(R. G. VAIDYANATHA)
VICE-CHAIRMAN.

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