

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

ORIGINAL APPLICATION NO.31/2001.

Friday, this the 12th day of January, 2001.

Coram: Hon'ble Shri B.N.Bahadur, Member (A),
Hon'ble Shri S.L.Jain, Member (J).

Sunil Jaiwant Salve,,
Near V.P.S.High School,
PWI, Chawl, ,
Railway Quarter No.A-87,
Lonawala.
(By Advocate Shri A.P.Lavate)

...Applicant.

Vs.

1. General Manager,
Central Railway,
CST, Mumbai.
2. Divisional Railway Manager,
(DRM) (P) Mumbai CSTM,
Mumbai.
3. Divisional Engineer (SE),
Mumbai Division CST,
Mumbai.
4. Assistant Division Engineer (N)
C. Railway,
Lonavala.
5. Assistant Divisional Engineer (T),
Central Railway,
Kalyan.

...Respondents.

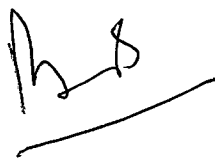
: O R D E R (ORAL) :

{Per Shri B.N.Bahadur, Member (A)}

The Learned Counsel, Shri A.P.Lavate, is present on behalf of the Applicant. Shri S.C.Dhawan, Counsel for the Respondents takes notice in this matter. We have heard the Learned Counsels appearing on both sides.

2. It is seen that the Applicant has filed an appeal on 27.12.2000 i.e. some four weeks back. It would, therefore, be appropriate that the matter is first decided by the Appellate Authority. The Learned Counsel for the Applicant presses for admission of this matter, but we find no special reason to admit

...2.



this matter before the disposal of the matter by the Appellate Authority.


3. Another point stressed by the Learned Counsel was that the principles of natural justice were not followed by the Enquiry Officer viz. the Report was not supplied to the delinquent officer. This aspect can also be looked into by the Appellate Authority.

4. In the facts and circumstances of the case, we hereby dispose of this OA with the following directions:

(i) The Appellate Authority shall consider the appeal made by the Applicant dt. 27.12.2000 on merits and in accordance with law and dispose it of through a speaking order, latest within a period of three months from the date of receipt of a copy of this order.

(ii) No orders as to costs.


(S.L. JAIN)
MEMBER (J)


(B.N. BAHADUR)
MEMBER (A)

B.