

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH: BANGALORE

DATED THIS THE 27TH DAY OF NOVEMBER, 1986.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy, .. Vice-Chairman.

And.

Hon'ble Mr. L.H.A. Rego, .. Member(A)

APPLICATION NO. 1870 OF 1986.

S.V. Narayanaswamy,  
S/o S.N. Venkataramanan,  
Senior Commercial Clerk  
in Belgaum Goods Office,  
South Central Railway, Belgaum.

.. Applicant.

(By Sri G.A. Srikantegowda, Advocate)

v.  
1. Divisional Commercial Superintendent,  
South Central Railway, Hubli.

2. Assistant Divisional Railway  
Manager, South Central Railway,  
Hubli.

.. Respondents.

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This application coming on for preliminary hearing this day  
Vice-Chairman made the following:

ORDER

In this application made under Section 19 of the Administrative  
Tribunals Act of 1985 the applicant has challenged order No.H/C/Con/  
/PC/5/85 dated 10-1-1986 (Annexure-E) of the Additional Divisional  
Railway Manager, Hubli (ADRM) confirming the order No.H/C/Con/  
/PC/5/85 dated 2-3-1985 of the Divisional Commercial Superintendent,  
Hubli (DCS).

2. At the material time, the applicant was working as Senior  
Commercial Clerk in the Belgaum Goods office, South Central Railway  
Belgaum. In the discharge of the duties of the applicant DCS noticed  
certain omissions and commissions and, therefore, initiated discipli-  
nary proceedings under Rule 11 of the Railway Servants (Discipline

and

and Appeal) Rules of 1968 against him. On 8-3-1985 the DCS imposed the penalty of stoppage of increment for a period of one year. Aggrieved by the said order, the applicant filed an appeal before the ADRM who by his order dated 10-1-1986 dismissed the same. Hence, this application.

3. Sri G.A.Srikantegowda, learned counsel for the applicant contends that the DCS and ADRM have not properly examined the explanation offered by his client and have reached their conclusions without any basis.

4. We have carefully perused the orders made by the DCS and ADRM. We find that both the authorities on a consideration of the articles of charge, statement of imputations and the explanation offered by the applicant have found that the applicant was guilty of the charge levelled against him and have imposed the minor penalty. We are of the view, that the orders made by the authorities do not suffer from any illegality or irregularity justifying this Tribunal's interference. We, therefore, reject this application at the admission stage without notice to the respondents.

*K.S. Praveen*  
VICE-CHAIRMAN 27/11/86

*[Signature]*  
MEMBER(A) 27.11.86

np/