

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH BANGALORE

DATED THIS THE 25th MARCH, 1987

Present : Hon'ble Sri Ch. Ramakrishna Rao - Member (J)  
Hon'ble Sri L.H.A. Rego - Member (A)

APPLICATION No. 1312/86

P. Prabhudas  
Ticket No. 1976, Smithy Shop  
Railway Workshop,  
South Central Railway, Hubli - Applicant

(Sri Suresh S. Joshi, Advocate)  
and

1. Production Engineer  
South Central Railway Workshop  
Hubli

2. S.B. Narendra  
Chief Draftsman and Enquiry Officer  
Drawing Office, South Central Railway  
Workshop, Hubli

3. Additional Chief Mechanical Engineer  
South Central Railway Workshop  
Hubli

4. The General Manager,  
South Central Railway, Secunderabad - Respondents

(Sri M. Sreerangaiah, Advocate)

This application came up for hearing before  
this Tribunal and Hon'ble Sri Ch. Ramakrishna Rao,  
Member (J) to-day made the following

O R D E R

This application was initially filed in the  
High Court of Karnataka and subsequently transferred to  
this Tribunal. The facts giving rise to the application  
are, briefly, as follows: As a sequel to the proceedings  
initiated against the applicant under Rule 9 of the  
Railway Servants (Discipline & Appeal) Rules, 1968

the disciplinary authority ('R1') passed an order dated 4.8.1982 (Annexure 'C') imposing on him the penalty of removal from service. This order was confirmed by the appellate authority ('R3'). Against the order passed by R3 the applicant filed a revision petition under Rule 24(2) of the Rules on 15.9.1983 but the same is pending to be disposed of. Against the orders passed by R1 and R3 the applicant has filed this application

2. We are surprised - nay shocked - that the General Manager, South Central Railway, <sup>who is the revisional authority in this case,</sup> ('R4') has not been prompt enough to deal with the petition filed by the applicant before him nor has he cared to send any interim reply to the applicant. It is on account of the inaction of R4 that the applicant was driven to the necessity of filing this application. We do not, however, consider it appropriate to allow a statutory remedy invoked by the applicant to go unheeded. ~~We, therefore, direct R4~~ In this connection R4 may take note of the following observations made by the Supreme Court in Ram Chander v Union of India AIR 1986 SC 1173 which are equally applicable to disposal of revision petitions.

"We wish to emphasize that reasoned decisions by tribunals such as the Railway Board in the present case, will promote public confidence in the administrative process. An objective consideration is possible only if the delinquent servant is heard and given a chance to satisfy the Authority regarding the final orders that may be passed on his appeal. Considerations of fair-play and justice also require that such a personal hearing should be given."

We, therefore, consider it appropriate to remit the matter to R4 for disposing of the revision petition.

We, therefore, direct R4 to dispose of the revision petition within a period of three months from the receipt of this order by a reasoned order after affording a personal hearing to the applicant. If the applicant is aggrieved by the order passed by the appellate authority he is at liberty to move this Tribunal.

3. In the result the application is disposed of subject to the directions given above. No order as to costs.

*M. N. Chidambaram*  
25/3/87  
Member (J)

*A. S. A. K.*  
25/3/87  
Member (A)

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
@@@@@@@

Commercial Complex (BDA),  
Indiranagar,  
Bangalore - 560 038

Dated : 11-6-87

IA I IN - APPLICATION NO 1312 / 86(T)

W.P. NO 10632 / 84

Applicant

Shri P. Prabhudes v/s The Production Engineer, SC Railway  
Hubli & 3 Ors

To

1. Shri P. Prabhudes  
Ticket No. 1976  
Smithy Shop  
Railway Workshop  
South Central Railway  
Hubli

2. Shri Suresh S. Joshi  
Advocate  
15, 3rd Cross, Nehru Nagar  
Bangalore - 560 020

3. The Production Engineer  
South Central Railway Workshop  
Hubli

4. Shri S.B. Narendra  
Chief Draughtsman & Enquiry Officer,  
Drawing Office, South Central Railway  
Workshop, Hubli

5. The Additional Chief Mechanical Engineer  
South Central Railway Workshop  
Hubli

6. The General Manager  
South Central Railway  
Rail Bhavan  
Secunderabad (A.P.)

7. Shri M. Srerangaiah  
Railway Advocate  
3, S.P. Buildings, 10th Cross, Cubbonpet  
Main Road,  
B'lore - 2

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAN~~

~~INTERIM ORDER~~ passed by this Tribunal in the above said  
application on 3-8-87.

Encl : as above

*R. V. Venkatesh*  
DEPUTY REGISTRAR  
SECTION OFFICER  
(JUDICIAL)

*RECEIVED 12/8/87*

*or  
Please  
not  
with*

**IN THE CENTRAL ADMINISTRATIVE  
TRIBUNAL ADDITIONAL BENCH,  
BANGALORE**

**ORDER SHEET**

Application No 1312 of 1986 (T)

Applicant

P. Prabhudas

Advocate for Applicant

Suresh S. Joshi

vs

The Production Engineer,  
South Central Railway & 3 Ors

Advocate for Respondent

M. Sreerangaiah

Respondent

Date

Office Notes

Orders of Tribunal

VC/M(R)

3.8.1987.

Orders on I.A. No.1:

In this I.A., the respondents have sought for extension of time by six weeks for complying with the ~~xx~~ directions made by this Tribunal in its order dated 25.3.1987.

We have perused the application. We are satisfied that the circumstances stated by the respondents justify us to grant the extension of time sought for by them. We, therefore, allow the I.A. and grant 45 days from this day for complying with the directions issued by this Tribunal in A.No.1312 of 1986, on 25.3.1987. Parties to bear their own costs.



*B. M. Venkatesh*  
DEPUTY REGISTRAR  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

*03/8*  
VICE CHAIRMAN  
dms.

*Ld.*  
3.8.87  
MEMBER(AM)

*-True Copy-*